

City of Coral Gables City Commission Meeting
Agenda Item F-2
May 23, 2023
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Peter Iglesias

City Clerk, Billy Urquia

Acting Historic Preservation Officer, Kara Kautz

Public Speaker(s)

Shaan Patel

Edward Martos

Jose Cardona

Maria Cruz

Zully Pardo

Karelia Carbonell

Brett Gillis

Agenda Item F-2 [12:25 p.m.]

An Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on March 15, 2023, to designate the property located at 517 Aragon Avenue, legally described as Lot 17 and the West 36.4 Feet of Lot 16, Block 10, Coral Gables Section "B", according to the Plat thereof, as recorded in

City Commission Meeting

May 23, 2023

Agenda Item F-2 - Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on March 15, 2023, to designate the property located at 517 Aragon Avenue, legally described as Lot 17 and the West 36.4 Feet of Lot 16, Block 10, Coral Gables Section "B," according to the Plat thereof, as recorded in Plat Book 5, at Page 111 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

Plat Book 5, at Page 111 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

Mayor Lago: Moving on to Agenda Item F-2. Time certain, 11:30. I apologize, we're 55 minutes late. Sorry about that.

Shaan Patel: That's fine.

City Attorney Suárez: Item F-2 is an appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on March 15, 2023 to designate the property located at 517 Aragon Avenue, legally described as Lot 17, in the west 36.4 feet of Lot 16, Block 10, Coral Gables Section B, according to the plat thereof, as recorded in Plat Book 5 at page 111 of the Public Records of Miami-Dade County as a local historic landmark. This is a quasi-judicial item pursuant to Section 14-208.6 of the City's Zoning Code. This appeal is based on the record of the hearing before the Historic Preservation Board and shall not be a de novo hearing. What that means is that no new or additional testimony shall be taken. This is an appeal based only on the record. As a reminder, your role in considering this appeal is to determine whether due process was afforded, whether the essential requirements of law were observed, and whether the Historic Preservation Board's decision is supported by competent substantial evidence. After the City Commission's review, the City Commission has four options as provided in the Zoning Code. The City Commission can affirm the decision of the Historic Preservation Board, in which the -- in -- which in this case designated the property as a local historic landmark. The City Commission can affirm the decision with conditions. The City Commission can override the decision of the Historic Preservation Board, which in this case would mean the property shall not be designated historic, or the City Commission can remand for further proceedings to the Historic Preservation Board. The Mayor, as Chair of the City Commission, with me as parliamentarian, has issued a procedural order that was provided in advance to the Commission and the parties. Pursuant to that procedural order, the appellant will be allowed 15 minutes for presentation, which shall be limited to the

record before the Historic Preservation Board. Next, the Historic Preservation staff will be allowed 15 minutes for its presentation, which will also be limited to the record below. Next, there will be time for questions by members of the City Commission to staff or the parties, and then public comment will be allowed, but will be limited to two minutes per speaker. Because the review of this appeal is not de novo, public comments shall not be considered testimony in this case. Finally, there will be time for additional questions and discussion by members of the City Commission. Because this is a quasi-judicial item, I do need to ask if there are any ex parte communications that a member of the City Commission needs to disclose.

Mayor Lago: Yes. I've met with the gentleman. We had a very brief meeting, and I imagine I think we've probably received some emails also that will be submitted for the record to the Clerk. Any of my colleagues, anyone else? Madam Vice Mayor?

Vice Mayor Anderson: Just emails received.

Commissioner Castro: We spoke on the phone briefly. Nothing that's off the record.

Commissioner Fernandez: Just emails.

Mayor Lago: Okay, moving on. Sir, please commence your presentation.

Mr. Patel: Hello, everyone. Thank you so much for hearing me, and I know you're very excited to hear another one of these so soon. I was born and raised here in Miami, and I've lived in the Gables for seven years at 231 Mallorca Avenue. My wife and I, you know, fell in love in the Gables, got together and got married last April, and we looked to find a place to live here for our forever home. We didn't find anything that we particularly like, so you know, we wanted to find one that we could extend, renovate, you know, that would work for our growing family. We have loved living here, working here, our neighbors, our friends, many of them live here and we'd love

to live here for the rest of our lives if we can. And we purchased 517 Aragon in November, like six months after looking, with the purpose of building our dream home. This was this past November. And for our permit, obviously, our first step is to go for a letter of historic significance. I am an architect myself. I do design-build work in the City of Miami, other places, and I know about the process, and I never thought that this home would be qualify -- would qualify for designation because it had extensive renovations permitted in the 60s and 90s, long before I bought it. So, I thought that would have happened then, but to my surprise, during the historic designation process, the staff recommended it for designation, and it was designated in March, stopping any plans that me and my family had for the home. You know, the home, as it is, does not work for our future plans. It is essentially a two-bedroom, and you know, my wife and I hope to have children, and we hope to be able to have a place to host our large Indian families and this home does not work for us as it is now. We wanted the best chance to be able to make the home work for us, so we've hired and retained Ed Martos from Weiss Serota and Joey Cardona, an architect with experience in historic preservation to analyze the property, and they're going to give you a quick version of their report, and I'll come back and close it out. And hopefully, you know, we don't take up too much of your time, but obviously, this is really important and personal to me. So, you know, I appreciate you guys listening.

Mayor Lago: Thank you. Counselor?

Edward Martos: Mayor, Commissioners, thank you for the opportunity. I'll speak rather quickly, but please stop me if I'm going too fast. Edward Martos, offices at 2800 Ponce de Leon Boulevard, here in beautiful Coral Gables. We're going -- I'm going to make one request, which is we're not going to take all 15 minutes, we hope, but we would like some time to reserve for rebuttal.

Mayor Lago: No problem.

Mr. Martos: Okay? All right. So, let's start with the legal criteria because that's the crux of this entire presentation. Your code lays out in Section 8-103 exactly what it is you need to look at before making a historic designation. And while oftentimes in hearings like this one, and also at just about every hearing of the HPB, you hear about there being a long list of criteria and there only needing to be one of those criteria met. The reality is that that's not the way the law reads. The law has an opening paragraph, you could see it there, and I've highlighted two key points there, right? First, before you look at any other criteria, you need to find if the property has -- possesses integrity, right. And then second, you've got to ask yourself whether it is significant. Those two are preliminary questions that must be asked, and frankly, board, the staff, very frequently loses the forest for the trees. Rather than ask these overarching questions first, they go right down to nitty gritty criteria. And I think that's an error, it's a legal error, and it's a very important one. These two in the law, we usually call these ideas threshold questions. You look at these questions first and then you go into the minor details. And when you look at the minor details, you look at them with the overarching principles that the threshold questions lay out. Again, here, those questions are significance and integrity. So, let's talk about significance. When you're asking about significance of anything, you're going to ask to who, right? And here, I think the obvious answer is the heritage of the City, worried about the City of Coral Gables, okay? So, let's examine that. This is the building that we're talking about. And an architect's going to walk you through the architectural features of the building, but when you look at this building, you don't immediately think of George Merrick. You don't immediately think Mediterranean. You don't think Spanish Colonial. You don't think it's any of the designs of George Merrick's villages. You don't see it's made of coral, right? This is not what made Coral Gables historic. And no, we're not commissioned by George Merrick or have any sort of factors. So why was this building designated historic? Staff and the HPB honed in on this idea that we are what's called Minimal Traditional. What the hell's Minimal Traditional? I had no idea when I started doing some research into it, what I learned and what HEP Board staff ultimately brought out for themselves in their report was that this was a architectural style that developed in the Great Depression when they couldn't do other designs like Mediterranean Revival, Spanish Colonial, etc. because it was

too expensive, right? It's the Great Depression. And so, staff themselves acknowledged that this traditional style was flexible, right? To get more context, I moved to the County's historic standards, and they define Minimal Traditional too. This isn't something that your staff created. It exists out there. But the County acknowledges it's a catch-all term for buildings in this era. And also, it's actually a response as Mediterranean Revival and other styles got less popular, and they were very expensive of course, this style was created, right? When you look at the style, there's no commitment. And you see that on that last line I've highlighted there. There's no commitment to any one particular element, which makes this particular style very challenging. And frankly, for a city like Coral Gables that has such a strong history, architectural history, and a distinct brand, I'm wondering how is this significant at all? The second standard, the second threshold question was integrity, you may recall. What is integrity? Your code actually defines integrity in this context. And what it -- you know, it's a long definition, but I'm going to highlight one sentence from that definition. Article 6 of your Zoning Code reads that historical integrity is -- in the definition it specifies that a building not only must -- let me slow down. It reads "not only must a property resemble its historic appearance in order to have integrity, but it must also retain physical materials, design features, aspects of construction dating from the period when it attained significance." It's got to be the same building. And what our architect is going to highlight for you is that it has changed. This particular building has changed many times over its history. Now, at HEP Board, we went to a deep dive, and I went through all the different properties that the City has ever designated Minimal Traditional. I'm not going to do that here for the sake of time, but I want to highlight just a couple points. If you look at all the other staff reports that the City has prepared for Minimal Traditional -- and there's only three of them. I don't want to make it sound like there's a dozen of them; there's only three. In those three, there is one paragraph, a page and a half, a very short paragraph saying -- and they all pretty much say the same -- there have been no alterations. Okay, here are some quotes from it. There have been no structural changes, minimal alterations, only routine maintenance on those other buildings. When you look at the staff report for this building that you're going to examine today, it ran over for four pages of changes. Our architect is going to go into more detail, but I just want to highlight one thing. The one

property, other property besides ours, that had changes was 737 Minorca, and those changes happened in 1939. You can see those changes on the left of the screen there. In contrast, our building had changes. All those pink areas were major changes. And that big block on the left side of that drawing, that's an addition. So, I'm going to turn it over to the architect, but I'm going to highlight the legal conclusions that we think are clear from his factual findings, okay? And those are, one, that you've lost integrity. So, you've lost that special something that the building had. Two, modernizing it for a modern family is actually going to take away what made it Minimal Traditional. It's a minimal building, right? So, you're going to add on to it? How is it still minimal, right? And then he also finds it's not significant. Minimal Traditional wasn't in George Merrick's vocabulary. This is a Great Depression response for very hard economic times.

Mayor Lago: Thank you. Mr. Architect, welcome to the Gables.

Jose Cardona: Thank you. Mr. Martos, thank you for your thorough presentation. Dear Commissioners, I thank you in advance for your time. My name's Jose Cardona, and I'm a registered architect and the principal architect at Design Space Architecture located at 9990 Southwest 77th Avenue, Penthouse 15, Miami, Florida 33156. My team and I have -- we have over 20 years of experience dealing with historic homes in Coral Gables. We've played critical roles in remodeling, renovating, and upgrading historically designated properties as well as a large number of homes in Coral Gables not historically designated, but they date back as far as the 1920s. Minimal Traditional architecture, its core values stem from a retraction of ornamentality, lavishness, and complexity. The style of architecture is not what Coral Gables is known for. In fact, Coral Gables proudly -- is proudly represented by an assembly of extraordinary homes. This house on 517 Aragon Avenue at one point had glimpses of Minimal Traditionalism, however, through its life, several extensive renovations and additions have obscured its hint -- any hints of its intended style. If this building's design ever marked a significant moment in Coral Gable's architectural history, it's lost that since. This house also claims to be a minimal -- to be minimal, which speaks to the simplicity of the architecture, but it also celebrates a small and modest house.

As such, we must ask ourselves, how can one accommodate a modern family in a Minimal Traditional home? Here we have a diagram that juxtaposes the original massing of the house on the left and the current massing of the house to the right. On the left, you can see the house's attempt at establishing a horizontal front façade, which is now essentially modified with that double car garage, which sits 18 inches proud of the original front wall of the building. On the original massing, we see the façade alterations behind the carport, where small single-leaf doors once existed. The previous owners constructed oversized double doors and decorative steps leading up to it. We can also see the original covered terrace in the back, which was since enclosed, and in the front, we see the semicircular opening in the front porch, which has also been enclosed. This is the same diagram that Mr. Martos went over. It's essentially a map of all the alterations that have happened since the house originated. Here we see the original front elevation drawings of the house on the top of the page and the current state of the house on the bottom. As we mentioned before, the front aesthetic now has like this segmented feel to it which deters from what it originally used to be. This is the back elevation showing the enclosed porch of the rear of the house between the two gable end roofs. We can also see several changes on the original windows and doors. This is the left elevation, which was completely altered during a 1988 kitchen renovation. As you can see, on the original elevation on the top of the page, the house had two slim doors and small windows in the kitchen. During the kitchen renovation, all openings were sealed, and one large double door was installed with decorative steps. A large window was also installed adjacent to the double door. Again, nearly all openings on the right elevation facing east have been modified. You can see here how the new garage mass reads proud of the original structure and takes up a significant portion of the façade. It's apparent that the house has undergone several modifications throughout its history that have unfortunately removed its inclusion of the group of historic homes that exemplify the history of Minimal Traditional homes built in the 1930s. These homes were meant to be an architectural response to strenuous economic times. As mentioned, one feature of this house was the carport fashioned on the west side of the residence. When Frank Lloyd Wright coined the term "carport" in his Usonian homes, the intent was to move away from fully built garages and provide an economic solution for storing vehicles.

The Minimal Traditional style of this home was aligned with that notion. The core value has unfortunately been tarnished by the inclusion of a double car garage on the main frontage of the building, as shown on this image. Here is an image showing the rear of the garage addition, which reads, they've essentially taken away the transparency from the street and vice versa. We also noticed some inclusion of exposed rafters on the eave of the front porch. That's a very decorative gesture, which again, doesn't necessarily align with Minimal Traditionalism. Here we see some interior alterations, un -- exposed rafters with no insulation. This is an interior view of some of these enclosures that have happened. Some different views of alterations with windows and doors. Sorry, guys, I'm trying to speed up to meet time. We also did a -- my team and I, we performed an extensive inspection on the structure of the house. The red dots are areas that we found rebar, and the orange shaded areas are the areas that have deteriorated crawl space. So, the most striking thing here is the lack of rebar, as well as the size of the rebar that exists. Current codes require three pieces of rebar on the corners -- on each corner of the house. Here we see there's one, and even the one that's there is undersized. So, thorough structural modification that are going to have to be made. Just some more views of some of the repairs that have happened that are improper and essentially deem the house unsafe. These are all unsupported fixes. So, in sum, the alterations that the House has experienced through its time have pushed it further and further away from what could have been considered a humbly designed home in an era where cost of construction was a major driver in architectural design. We urge the Commissioners to move away from designating this property as local history. Coral Gables has a plethora of beautifully significant local gems, and we feel as though including this home as part of that group would dilute the esteem of being labeled a historic home in Coral Gables. Further, I implore the Commissioners to entrust that a newly designed home on this lot will be adding to the beautification of this marvelous city and that the meticulously appointed Coral Gables Board of Architects will undoubtedly aid in approving a design that adds to the embellishment of the City Beautiful. Thank you.

Mr. Patel: Yes, guys, and I just want to say, in closing, I appreciate your time. I wanted to be an architect since I was 10 years old, and I fulfilled that dream and became an architect, and I have

always dreamed of building or renovating my own home and adding to the character of the city that I love. So, I really hope you guys allow me to do that and you override the decision that was made at the Historic Preservation Board and allow me and my family to have the home that we always dreamed of.

Mayor Lago: Thank you.

City Attorney Suárez: Mr. Mayor, while staff comes up, may I just clarify one point?

Mayor Lago: Yes.

City Attorney Suárez: I would like to address Mr. Martos' comments about the opening paragraph containing threshold requirements for designation. The opening paragraph is just that, it's an opening paragraph that contains a general description of the criteria and the code is clear that the eligibility criteria is based on meeting one of the specific criteria that's listed in the code.

Mayor Lago: Oh, you have to respond? Please.

Mr. Martos: I can respond after staff. I just want to make sure I have a chance to respond.

Mayor Lago: Of course.

Mr. Martos: Thank you.

Mayor Lago: We always will. We always allow.

Mr. Martos: Thank you.

Acting Historic Preservation Officer Kautz: Thank you. Kara Kautz, Acting Historic Preservation Officer, for the second time before you again today. I wanted to bring up two points before I ask for the PowerPoint to be brought up. First is that -- to remind you all that the Board reviews each designation on a case-by-case basis. It is not a comparative to other types, other homes in the same style that have been designated. It is specifically on the merits of the property at hand. I also would like to point out that there are not just three homes in the Minimal Traditional style designated in the City. In fact, there was an entire historic district on Campina Court comprised of homes in this style that was designated in 2005. All right, so a brief background on the item. In September of 2022, the applicant as a potential purchaser of the property submitted an application for historic significance determination to our department. As mentioned in the last case, this determination is normally requested in order to obtain a demolition permit per Section 8-107 of the Zoning Code. On October 19, 2022, a significance determination letter was issued stating that property did meet the minimum eligibility criteria for designation as a local historic landmark. In November of 2022, one month after they had been notified that the property was considered significant and would be taken to the Board for designation, the applicant closed on the purchase of the property. After multiple deferrals, the designation report finally was presented to the Board on March 15th. At that time, the Board unanimously found that the property met the designation criteria as outlined in the code. As you have already heard, the property in question was designed by architect William Merriam in 1937 in the Minimal Traditional style. I apologize, you're going to be hearing this twice, but at the moment I will be presenting a small tutorial on the style and how it was specifically adapted here in Coral Gables. But first I want to bring to your attention or remind you that the City is a -- Coral Gables -- the City of Coral Gables is a certified local government. It's a program jointly administered by the National Park Service and the State Historic Preservation Officer -- Office. By registering as a CLG, the City agrees to abide by preservation standards, and as you will see highlighted in bold, the City is obligated to identify and protect resources that contribute to the story of the City over time. The history of the City does not stop or freeze in the 1920s and Mediterranean Revival architecture. We are tasked with telling the ongoing story of the evolution of the City and its built environment. As per Article 8

Section 8-103 of the Coral Gables Zoning Code, for designation, a property must meet one of the criteria as outlined in the code. Again, the Historic Preservation Board designated the property based on the three significance criteria noted on the screen and also in the designation report. So, you've heard the City Attorney talk -- their attorney talk at length about the first paragraph of Section 8-103. Our City Attorney opined; the first paragraph is simply a preamble. When we issue a historic significance determination letter or prepare a designation report for a particular property, we have already made the qualification that the property in question retains its integrity and has significance or is important to the heritage of the City. This sets the groundwork for the list of criteria that come. The specific criteria, as adopted in the Zoning Code, are listed next. These are the criteria that staff and the Historic Preservation Board must apply. They are the criteria that the Board applied when it unanimously voted to designate this property. I want to remind you that the property does not need to stand out or be a prime or shining example of an architectural type in order to have significance. As illustrated in the designation report, this particular home has a representation of an early example of the Minimal Traditional style and how it was uniquely manifested in Coral Gables as one of the very few homes built in the City in the 1930s and is a representation of the evolution of the City's architectural heritage over time. This is the definition of integrity as written in the Zoning Code with an emphasis added. As we noted in the designation report, the alterations to the character-defining features of the property have been minimal. Those features are found in the review guide of the staff report, and I'll also show them to you shortly. It does resemble its historic appearance. It retains those character-defining features and materials and construction methods that make it significant. Also, as substantially evidenced by the designation report, the qualities of integrity are intact. Location and setting, as noted on page 5, retain their original context. Design, materials, and workmanship are also evident on this property as evidenced by the character-defining features of the home noted throughout the report and also on the review guide on page 22. So, I'd like to talk to you briefly about the time period when this home was constructed. We found that once we start discussing a type of architecture that may not be familiar to everyone as Mediterranean Revival, a little bit of background is warranted. As you see here, this home is only one of a few hundred homes built

during the 1930s in Coral Gables. When George Merrick founded the City in the early 1920s, structures built in the Mediterranean Revival style of architecture became the mandate. Construction in the burgeoning City boomed until the combination of the 1926 hurricane and Great Depression caused the economy to falter and new construction to be drastically reduced. In Coral Gables, very few single family homes were built during the Depression era. The construction of this home occurred during this period. It is an early example of Minimal Traditional style that emerged in direct response to the Housing Act of 1934. It's a thoughtful execution of a home that acknowledges the City's Med Revival foundation while embracing modernistic aesthetics and is one of the first homes in the City to usher in this new style. So, it's important to point out how the Minimal Traditional style uniquely manifested in Coral Gables. It was a response to the economic hardships of the Depression and the burgeoning modern aesthetic of subtle ornamentation and streamlined homes. The style focused on practicality of floor plans and the emerging trend of attached garages. These homes combined influences of the modern aesthetic and traditional architecture styles of the past. In this case, as occurred here in Coral Gables, it adapted to the Mediterranean Revival style. The middle traditional style houses in the City were decidedly modernistic, utilizing smooth stucco, overall horizontal emphasis, fenestration without sills, curving and geometric forms, and simplified roof types. The style still retained features of the Med Revival, so that these homes blended with the original homes that existed in the neighborhood. William Merriam was well-versed in Med Revival architecture and respected it as he began to design in this new and emerging style. Not many of these homes were built, and they are pivotal to how the City moved on to other styles after the war. This is a photograph of the home as it exists today. So, this residence, again, is a very early example of the Minimal Traditional home and a representation of the style in Coral Gables. A very detailed description of the property is found in the staff report and the PowerPoint presented to the Board. I'm not going to show you each façade but scroll through some slides that highlight the character-defining features of the home and that style there is still evident on the home. So, we have low-pitched roofs. We have the roof clad in barrel tile. We have lightly textured stucco, minimal applied decorative embellishment. Recessed fenestration without sills or lentils, with the modernistic

impression of sort of being carved out of the walls. Interior chimney with geometric emphasis. Here you see the Morse arched front porch, large rectangular window with the rounded sides, shallow segmental arched square opening of the carport. You have corner windows; you have exposed rafter tails. You have curved modernistic built-in planter at the southeast corner, rectangular grouped fence and the gable eaves. If you happen to drive by this home, you may not have noticed all these features, they are obscured by a lot of vegetation at the moment. So, comparison of historic photographs with the existing structure. Examination of building and public records indicate that the Minimal Traditional style home retains its historic integrity. On the left are the current property survey and aerial photo. I'd like to touch on the remarks made by the applicant's expert architect because so much of the information relayed in the presentation was incorrect. It's also important to point out that the Historic Preservation Board heard and considered this information before it unanimously voted in favor of designation. I'd like to point out for the record that the expert witness appears to have very little experience in historic preservation. Based on his résumé and his less than two years of licensed practice as an architect, he has only worked on two historically designated properties. He just mentioned one on Obispo and the permit was for a deck and a pergola and minor alterations to the rear of the home and was not designed by his firm. So, the massing study that was shown to you is also erroneous. The massing of the home is largely intact. The only addition to the home occurred in 1961, which is the one-car garage at the west end adjacent to the original carport. The center photo here shows it shortly after completion. Handwritten notes on the original permit drawings indicate that the terrace at the rear was always a roof structure. Awnings, enclosure of the front porch, or changes in window openings do not in any way alter the massing of the building. He also showed you a building plan study noting that about 50 percent of the home had been inappropriately altered. The areas that were demarcated in pink are misleading. The Historic Preservation Board has allowed screened porches to be enclosed on designated homes where appropriate. Interior alterations are not the purview of this department so interior modeling is irrelevant. The terrace to the rear was always roofed and the enclosure of it and the front porch do not alter the building plan. There have been a few instances of window or door alterations. Many of the changes that were made to the original plans were shown with

handwritten notes. What this means is that the deviations occurred at the time of construction. Some of those notes can be seen here. Window and door alterations as part of later building permits were solely focused on secondary façades of the house. The architect's statement that if this home were previously designated, these items would not be allowed or considered appropriate as they changed the home is irrelevant as well. Each property is evaluated for designation and alterations on a case-by-case basis. Designation does not freeze a property in time or prohibit alteration. The Historic Preservation Board has designated structures with enclosed carports and enclosed porches in the past and have allowed them to do so where considered appropriate. My final points on the architect's presentation are these: The current condition of the home is not a criteria for or against designation. Neither is the cost of any improvement or what might be built on the property. The Board does not and cannot consider those assertions. They are only to focus again on the question: Does the property meet the criteria as outlined in the code for designation? As per the code, any financial hardship claims are brought to the Historic Preservation Board under a separate procedure. That procedure has not been initiated and is not and cannot be part of today's deliberation. So, clearly, the Board felt that this home met the criteria as listed and unanimously designated the property as a local historic landmark based on the evidence provided to them in the designation report. This home is an important early example of the Minimal Traditional style of architecture that shifted away from Mediterranean Revival to a more modern aesthetic. Permitted in 1937, it is one of the few homes built in the 1930s. It retains its character-defining features and its historic integrity, and it serves as a visible reminder of the history and ongoing history and heritage of the City. We urge you to uphold the Historic Preservation Board's unanimous motion to designate this property. Thank you.

Mayor Lago: Thank you very much. Counselor?

Mr. Martos: Mayor, thank you again. And Commissioners, I will be brief, but I have some important points that do need to be covered. First, I want to start with just -- for housekeeping...

Mayor Lago: Madam Director, please stay here with us.

Mr. Martos: Just for housekeeping, I'd like to strike the objections by the director with respect to our expert. He presented before a board of architects and historians, and nobody raised an objection. She did not raise an objection. This is a de novo hearing. So, I ask that that be stricken from the record; it shouldn't be considered here, okay? Next, I want to go to the overarching question here, which is really what the code requires, right? Because this -- ultimately, you're going to decide based on the law and not any other factors. So, if I could have the presentation, our slides, slide four of our presentation. No, this -- the other -- the other -- the applicant's presentation, please. Slide four is your City Code. And the City Attorney suggested that, you know, somehow, it's an opening paragraph, it's just that, and we don't look at it. The opening par -- slide four, please. I'll find it. I got it. Okay, so slide four, there's your code. I want to highlight something to you. It's not merely an opening paragraph. The highlighted language tells you you have to look at what it possesses integrity and that it is significant to the City. That long list of criteria is prefaced by the sentence, the eligibility of potential historic landmarks or districts shall be based on one or more of the following criteria. So, you find integrity, you find its significance, and then you've got to hang your hat on one of those criteria. It doesn't say if you find one of these criteria it shall be designated. That's not what it says. It says integrity, significance, and then to support your claim of significance or integrity, you go through all of those criteria. You notice my presentation didn't go through that criteria. That's because it's my position you never get to those criteria. Because on its face, okay, the significance isn't there and the integrity is not there. Now, speaking to integrity, the director spoke and raised a couple objections with respect to our presentation and how we talked about other applications. We talk about other applications because otherwise there is literally no standard on which to base integrity and how much change occurs. A government cannot act arbitrarily or capriciously. And so if you are designating other properties that have no changes whatsoever, and then you've got another application and in your own staff report, you're laying out four pages worth of changes, it raises the question, what's going on here? We also talk about other applications, and we talk about structural conditions because

they go to -- or rather we talk about other applications because -- pardon, about the existing conditions because that goes to integrity. You'll notice the definition of integrity talks about the condition of the building, the workmanship, the materials, et cetera. It's our position that our close inspection, which staff did not do that same level of inspection, demonstrates -- and our architect laid out why -- that that integrity has been lost, okay? Staff also highlights that -- and she takes objection with our architect's presentation, saying that alterations -- the alterations don't change the massing. I want to run over just to that useful diagram, just because it's easier to -- just to look at this one slide. Massing of a building is how much bulk the building has, right? Notice the carport. The original design had open windows on the side of the carport and an open carport that went straight on into the backyard. That's gone now. It's been enclosed. The original design, the original massing, had a relatively short building, horizontal-wise. They've added an extra garage to it, okay. The original building had a open, breezy porch. That's been closed in the front porch. It had a rear porch, that's been enclosed. It had multiple windows that have now been enclosed. I don't see how you can say with a straight face, making the building longer, bulkier, more obtuse, not clear and open, doesn't affect massing.

Mayor Lago: Madam Director...

Mr. Martos: And...

Mayor Lago: Will you respond to that just to get a better understanding? Were all these -- were all these changes permitted?

Acting Historic Preservation Officer Kautz: Yes, so what you see on the left is the original plan. On the right-hand side is what they're showing you as the current massing. So, the terrace at the rear that's shown in light brown was always there. It was not added. The enclosure that they're showing of the front porch, it was a screened porch. It was not breezy and wide open. If you looked at that, you saw a dark void because it was screened. The massing of a building is its

footprint. The footprint of this only changes when you add the carport. Otherwise, it's completely intact.

Mr. Martos: And with -- in closing, I just want to highlight that -- I'm just checking my notes for a second. One moment, please.

Mayor Lago: Kara -- Madam Director, I apologize.

Acting Historic Preservation Officer Kautz: No worries.

Mayor Lago: In regards to the recommendations from the Board, obviously besides deeming it historic, did they mention anything about possible opportunities for an addition to the home or if they were --?

Acting Historic Preservation Officer Kautz: The Board doesn't opine on that.

Mayor Lago: I'm saying, was there anything that was...

Acting Historic Preservation Officer Kautz: They actually had no discussion about this property. They heard both presentations and voted to unanimously designate it. There was not a lot of discussion, but that's a separate process too.

Mayor Lago: And if this -- again, this home, an addition could be added to...

Acting Historic Preservation Officer Kautz: Absolutely.

Mayor Lago: Without a problem?

Acting Historic Preservation Officer Kautz: Absolutely. Later alterations could be removed without a problem as well. So, if they wanted to take that second garage off, that's absolutely fine with us.

Mayor Lago: Yes, sir.

Mr. Patel: Yeah, obviously, the concept of Minimal Traditional is about having a small footprint, is about having the minimal look, a flat façade, which has obviously been changed too. So, in us asking to add extensive additions or, you know, two bedrooms, which I would need, it would maybe not be allowed at that level because this home has been designated a Minimal Traditional home. I also want to say that the report I got while I was under contract for the home, I was not allowed to back out of the contract at that point, so it's kind of moot whether or not I got it in October or November. And sorry -- yeah, and obviously, any alterations that will modernize the home, it wouldn't create a Minimal Traditional home anymore. So, allowing that kind of alteration is, I think, difficult in a Minimal Traditional home specifically.

Mayor Lago: Madam Director, would you like to respond to the statement?

Acting Historic Preservation Officer Kautz: So, again, what can or cannot be done to the property, even though, yes, we work with owners to allow additions, it's really not the purview of what's happening here. Does this home meet the criteria? Not what your intention is for it in the future, not how much square footage you want to add.

Mayor Lago: That's what I wanted you to put in the record.

Acting Historic Preservation Officer Kautz: Yes. So, that is -- the Board is considering the property as it exists today.

Mr. Patel: Yeah, one more thing. And she mentioned multiple times that they voted unanimously. You know, we gave 40 minutes of presentation, and they had zero discussion and voted unanimously with no questions, and I thought that was a little sad as a citizen to go through this process to pay for architects and lawyers, you know, my family, and to have that to be treated kind of like that, and I thought that was upsetting to me.

Vice Mayor Anderson: Mayor, I had a couple of questions.

Mayor Lago: Yes, Vice Mayor.

Vice Mayor Anderson: We have handbooks, Madam Director, for guiding folks if they want to have additions put on homes, is that correct?

Acting Historic Preservation Officer Kautz: Um-hmm.

Vice Mayor Anderson: Is there anything in the handbooks that say that you cannot put additions on Minimal Traditional homes?

Acting Historic Preservation Officer Kautz: No.

Mr. Patel: Is there a section in the handbook that's about Minimal Traditional homes?

Acting Historic Preservation Officer Kautz: It's about our standards and how we apply our standards, so it is not specific to an architectural type.

Vice Mayor Anderson: A follow-up question: Was there any facts or findings as to the additions that were put on the home not being compatible with the design or the massing that exists?

Acting Historic Preservation Officer Kautz: No.

Vice Mayor Anderson: That's it, Mayor.

Mayor Lago: Thank you, Vice Mayor. Do my colleagues have any other questions/comments?

Commissioner Menendez: I just have sort of -- you and I are thinking similarly, observation, not to do directly on this matter. It seems that over the years and over the decades, the City itself contributes to situations where we are now encountering on occasion what seems to be a head-on collision between the interests and the rights of the property owner and the interests of the City to preserve its history. I hope perhaps at some point down the road we revisit designations so that we don't -- it's not a matter that comes to us at the last minute where everything's on the line. Perhaps we can be able to identify properties based on a time frame in our history, perhaps on a particular style so we can address this early on and everybody's on notice. But every time we have one of these matters come up, it almost seems like they're -- it's, you know, a game of chicken to see who's going to at the last second turn or blink. And I think we need to revamp or look at our process because something's wrong.

Vice Mayor Anderson: Well, other than -- through the Mayor -- giving staff some direction to look at structures in particular time frames and do it on a piecemeal basis. It's a herculean task to do that. But if that's what you're talking about, Commissioner.

Commissioner Menendez: Yeah.

Vice Mayor Anderson: Okay.

Mayor Lago: So, what is the --? Commissioner Castro.

Commissioner Castro: Yes. Do you feel there was a loss of integrity?

Acting Historic Preservation Officer Kautz: No. It still retains its character and (INAUDIBLE).

Commissioner Castro: And by -- and by the probability of adding an addition or adding -- yeah, adding an addition, do you feel that that would tarnish the historical and cultural significance of the home?

Acting Historic Preservation Officer Kautz: No, I don't. But again, it's not about what could happen in the future, it's how the house exists currently.

Mayor Lago: Okay.

Commissioner Menendez: Through the Mayor.

Mayor Lago: Yes.

Commissioner Menendez: There was something on one of the screens that caught my attention. It was on the City's presentation. It was -- I put it in quotes. The overall presence of the past. It's almost like they went through a list of things that you'd look for, but then they go "overall presence of the past." It's almost like if you don't find it here, if it gives an overall presence of the past -- which unfortunately, for me, counters what I said in the last item, which is, should be based on facts and technical. And "overall presence of the past" is a very subjective catch-all phrase. I'm not very comfortable with subjective catch-all phrases when it really comes down to the details, but it was part of one of the screenings.

Acting Historic Preservation Officer Kautz: Right. So, that -- may I? So, that phrase is in the definition of historic integrity. And so, what it refers to are the six qualities of integrity that when

we say something is -- has -- retains its historic integrity, what we look for. So, those qualities are location, design, setting, materials, workmanship, or association. And what that sentence actually says is all six qualities -- that I just read off -- do not need to be present for eligibility as long as the overall sense of past time and place is evident. So, what that means is the historic integrity has to be intact and then you move on to the criteria.

Commissioner Menendez: There's no...

Acting Historic Preservation Officer Kautz: So, it's not...

Commissioner Menendez: I just have an issue with the wording itself, "the sense of." I understand...

Acting Historic Preservation Officer Kautz: It's not our wording; it's a national standard.

Commissioner Menendez: Yeah.

Mayor Lago: Okay.

Commissioner Fernandez: I just have one question, Mr. Mayor.

Mayor Lago: Go ahead, sir.

Commissioner Fernandez: On the presentation, it says we found it to be financially infeasible. There hasn't been an application for that classification, right?

City Attorney Suárez: Economic hardship?

Commissioner Fernandez: Correct.

City Attorney Suárez: So, that's part of a different process that would come up if there's an application for a certificate of appropriateness. That's not before you today.

Commissioner Fernandez: Okay. And I think for me the building massing study that you presented really shows almost the same house except for a couple of minor changes. So, I think for me that image on its own seals it for me.

Vice Mayor Anderson: It does for me.

Mayor Lago: Commissioner Castro.

Commissioner Castro: I know that you said that there were certain things that had to be fixed and I -- was it structural issues?

Mr. Patel: Yeah, in the subfloor and as well as, you know, the rebar issues and some of the window openings, yeah.

Commissioner Castro: Replacing rebar, putting rebar, would that change integrity?

Mayor Lago: No.

Acting Historic Preservation Officer Kautz: No.

Commissioner Castro: Okay.

Mayor Lago: So, just going back to what the director said, we had this discussion back and forth in a previous property like three or four months ago. That's still an issue. And again, just because the house could potentially cost a lot of money -- and it was a statement very validly placed forward by Vice Mayor Mena at that point -- that it would cost a significant amount more money than just to demolish the house and build something new is something that can't be considered when making a decision. Because we're not considering that. Which is, again, tough for me to swallow, but you have to overlook that and say, you know, we're talking about the historic significance of the house, not whether the financial viability of going one route versus another.

Mr. Martos: Mayor, may I clarify one point? It's routine for historic preservation staff to highlight that certain changes can be undone, right? And that's why we're talking about -- if you'll notice, slide 31 is where we say that, and the headline is reversibility or restoration. No one in their right mind is going to reverse and restore without modernizing, improving these problems, okay. And so, that's where cost becomes relevant because if staff is going to say, we think you should designate because it's reversible or you could restore the building, then cost has to be a factor. It's almost -- you know, for the lawyers on the board, it's -- they're opening the door, and this is almost a rebuttal point. And you know, our architect was a little rushed for time, but if you look at his presentation, one of the slides he had was the supports underneath the floors. You can see -- and this goes to workmanship as well -- over time, there've been modifications. I don't think this is original. These supports, if you look at slide 30 on the presentation packet, there's a wedge of wood just holding up the floors. Right, there's a beam, don't get me wrong, there's a metal beam, that's a lot of support, but there's a lot more work than you would think just from looking at windows, enclosed porches, things like that. We have rebar problems; we have foundation problems. It's a lot, and those costs I think have to be relevant, even if there was no application for financial, you know, hardship. It's relevant because if staff is going to say reverse it, well then you have to look what reversing means.

Mayor Lago: Madam Vice Mayor.

Acting Historic Preservation Officer Kautz: We do not require any changes to be made because a property is designated. We can't. We're designating the property as it exists today. So, I can't go back and say, "Oh, we don't really love X, Y, and Z, so you need to get rid of that." We cannot tell someone when they come forward for a certificate of appropriateness for an addition, we can help guide them to the best way to do it, but we can't. We cannot tell them to make changes once we've designated. That's a penalty. That's not fair.

Mr. Martos: I agree, but the report says these are reversible, so they're minor. So, we disagree, they're very expensive. Thank you.

Mayor Lago: So, Madam Vice Mayor.

Vice Mayor Anderson: A few follow-up questions. Madam Director, as far as the rebar issue, we don't require buildings when they're designated as historic to be brought up the current code, do we?

Acting Historic Preservation Officer Kautz: No, not as a matter of designation.

Vice Mayor Anderson: And as far as the floor joists are concerned, those can be also jacked or additional supports to put in if they are an issue.

Acting Historic Preservation Officer Kautz: Yes.

Vice Mayor Anderson: Is that correct?

Acting Historic Preservation Officer Kautz: Correct.

Mr. Patel: Sorry, Commissioner. As a homeowner, obviously, I want to fix those things for my family, but our argument today is around significance and integrity.

Vice Mayor Anderson: Nothing further. I'm prepared to move forward if you're done.

Mayor Lago: Let me -- just really quickly, Madam Vice Mayor, do we have any public comment?

City Clerk Urquia: Yes, sir, we do.

Mayor Lago: Okay, who do we have?

City Clerk Urquia: First speaker, Maria Cruz.

Maria Cruz: Maria Cruz, 1447 Miller Road, very simple comment. Historic is historic, and we need to maintain our historic position.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: Zully Pardo.

Mayor Lago: How are you? Good afternoon.

Zully Pardo: Good afternoon. Sorry, I -- forgive my flustered look. I came running over here. I felt the need -- I felt compelled really to be present at this F-2 agenda item. My name is Zully Pardo. I live at 49 Campina Court. My home is part of a historic district. That historic district is Minimal Traditional. In the same as Ms. Kautz very aptly stated, it was a shift from bungalow-style Mediterranean homes to minimalist world war -- after -- during and after World War II, the shift -- the type of architecture shifted towards minimalist homes. I shudder to think what would

happen if someone from Campina Court came here in front of you to request an appeal to have their historic designation rescinded. The reason why is we are a compilation of 12 homes and together is how we are a historic district as defined by the City of Coral Gables. I simply ask you to please, please, very carefully review this issue and don't -- if it's a home that can be fixed, we - let me put it this way. We are their stewards. Like you are the stewards of our city, the homeowner is the steward of that home. I have this home and I have to keep it. I won't be around forever, but I have to make sure that its integrity as a historic part of this district is maintained, and I feel that anyone that owns a home that is historically designated has the same responsibility. Okay, thank you so much.

Mayor Lago: Thank you.

Vice Mayor Anderson: Thank you.

Mayor Lago: Thank you for being here.

City Clerk Urquia: Karelia Carbonell.

Mayor Lago: Karelia, good afternoon. We'll come back to her. Mr. Clerk, is there anyone else?

City Clerk Urquia: There's one more person, but she's trying to unmute.

Mayor Lago: Ms. Carbonell?

Karelia Carbonell: Hello?

Mayor Lago: Yes.

Ms. Carbonell: I'm here. Yes, I'm here.

Mayor Lago: Okay.

Ms. Carbonell: Yes, again, Karelia Martinez Carbonell. I'm president of the Historic Preservation Association. You have received letters on behalf of our board supporting the affirmation of the designation for this home. But I do want to say a few words additional. And, you know, according to the City's preservation ordinance, a home 50 years or older is eligible for designation if at least one criteria is met. That is the reality of buying an old home in the City of Coral Gables. These homeowners knew even before they bought it that this home was significant. It was not a surprise. There are extensive processes that staff goes through to review historic eligibility. And if staff finds the property to meet at least one of the criteria, which includes historical, cultural, aesthetic, architectural, for designation, then staff presents it to the Historic Preservation Board. This nine-member board has the power to accept or deny designation. That board unanimously accepted the designation of this home. The Preservation Department exists to uphold the City's historic preservation ordinance, first established in 1973. Preservation is not a zero-sum game. And it shouldn't be weighed whether there's one building versus another or whether an architectural style is more significant than the other. The -- what we are -- what the ordinance wants to accomplish is that we need to protect our historic cultural integrity. In reversal of this designation, this property will be vulnerable to demolition. And so there would be no mechanism to protect it.

Mayor Lago: Thank you very much.

Ms. Carbonell: Residents living in a historic city -- okay.

Mayor Lago: Thank you so much.

Ms. Carbonell: Thank you.

City Clerk Urquia: Mr. Brett Gillis.

Mayor Lago: Mr. Gillis.

Brett Gillis: Good afternoon. This is Brett Gillis calling in. I had a presentation prepared, but after listening to the staff and the other speakers, I -- you know, I don't have much more to say on that. I don't think there's much to refute here. It was unanimously designated. This is a rare gem, a 1930s example of an important architectural style in our history. If you walk around these few blocks of Giralda and Aragon, it's very evident that this is a unique collection of homes. They're very beautiful and charming. I don't think the homeowner should have been surprised at all. I mean the real estate listing was very clear. I just looked at it again this morning. It talked about the 1930s charm of the home and to consider purchasing it to enhance it for the future. It was not advertised as a teardown or that it could be demolished. I think that these -- this area of Aragon and Giralda is a quaint collection of historic homes that, you know, it's a single family area walking distance to downtown, and it's something that certain people really look for and it's a unique area of our city. So, I hope that you consider that. I mean, we asked a lot of our history and architecture. We ask for it to educate us about our past, to add charm and character to our neighborhoods, but today we're going to see what you do in terms of what -- what history and architecture ask of us. I think that we have to be good stewards of it and protect it and really celebrate it. So, thank you for your consideration and for your service.

Commissioner Castro: Thank you.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: All right, what is the will of the Commission?

Commissioner Castro: I make a motion to affirm the decision of the Board.

Vice Mayor Anderson: I'll second.

Mayor Lago: Mr. Clerk?

Commissioner Menendez: Yes.

Vice Mayor Anderson: Yes.

Commissioner Castro: Yes.

Commissioner Fernandez: Yes.

Mayor Lago: Yes.

(Vote: 5-0)

Mayor Lago: Thank you for your time.

Mr. Martos: Thank you very much. Appreciate it.

Mr. Patel: Thanks, guys.