

1 CITY OF CORAL GABLES
 2 PLANNING AND ZONING BOARD MEETING
 3 VERBATIM TRANSCRIPT
 4 CORAL GABLES CITY HALL
 5 405 BILTMORE WAY, COMMISSION CHAMBERS
 6 CORAL GABLES, FLORIDA
 7 WEDNESDAY, MARCH 12, 2008, 6:02 P.M.

8 Board Members Present:

9 Tom Korge, Chairman
 10 Eibi Aizenstat, Vice-Chairman
 11 Robert Behar
 12 Jack Coe
 13 Cristina Moreno
 14 Javier Salman

15 City Staff Present:

16 Eric Riel, Jr., Planning Director
 17 Lourdes Alfonsin Ruiz, Assistant City Attorney
 18 Javier Betancourt, Principal Planner
 19 Scot Bolyard, Planner
 20 Edward Weller, Assistant Building Director
 21 Martha Salazar-Blanco, Zoning Administrator
 22 Carlos Mindreau, City Architect
 23 Dona Lubin, Assistant City Manager
 24 Kara Kautz, Historic Preservation Director

25 Also Participating: PAGE

Application 12-07-042-P:
 26 Lucia Dougherty, Esq., 14
 27 On behalf of LG Coral Gables, LLC

David William Hotel/Condominium:
 28 Sacha Smith 28

29 Metal Roofs:

30 Mary Anderson 95
 31 Manuel J. Menendez 98
 32 Sue Kawalerski 99
 33 Charles Girtman 102
 34 Robert Fine 106
 35 Ted Rickel 109
 36 Luis Revuelta 110
 37 Thomas Mooney 114
 38 Commissioner Maria Anderson 120
 39 Ray Airan 125

1 THEREUPON:

2 The following proceedings were had:

3 MR. AIZENSTAT: Let's go ahead. We'll
4 ask if there's anybody here that would like
5 to speak at all, if they could just please
6 go up over and sign in, that would be
7 greatly appreciated, if anybody has not
8 signed in.

9 The attorneys don't need to sign in, if
10 I'm not mistaken, but if there's anybody
11 from the public.

12 (Discussion off the record)

13 MR. AIZENSTAT: Okay, why don't we go
14 ahead? While our Chair is on the way or
15 coming in, let's go ahead and take a roll
16 call, please.

17 MS. MENENDEZ: Eibi Aizenstat?

18 MR. AIZENSTAT: Here.

19 MS. MENENDEZ: Robert Behar?

20 MR. BEHAR: Here.

21 MS. MENENDEZ: Jack Coe?

22 MR. COE: Here.

23 MS. MENENDEZ: Pat Keon?

24 Cristina Moreno?

25 MS. MORENO: Here.

1 MS. MENENDEZ: Javier Salman?

2 MR. SALMAN: Here.

3 MS. MENENDEZ: Tom Korge?

4 MR. AIZENSTAT: Has everybody gone
5 ahead and gotten a chance to take a look at
6 the minutes from February 13th?

7 MR. COE: Move approval, Mr. Chairman.

8 MR. BEHAR: Second.

9 MR. AIZENSTAT: Actually, I was not
10 here, so I can't vote on it. Do we have
11 enough people?

12 MS. MORENO: I wasn't here, either.

13 MR. AIZENSTAT: So we might not be able
14 to, because we'll only have one, two --
15 three individuals here. Two of us were not
16 here.

17 MR. COE: Well, let's -- Are there any
18 changes to the agenda? That's the next
19 item.

20 MR. AIZENSTAT: Eric, any changes?

21 MR. RIEL: No, no changes to the
22 agenda.

23 MR. AIZENSTAT: Okay. Let's go ahead
24 and start. Do we need to swear in any of
25 the people that will be speaking tonight?

1 MR. COE: Why don't we do 042-P?

2 MR. AIZENSTAT: Madam Assistant City
3 Attorney --

4 MS. ALFONSIN RUIZ: Yes.

5 MR. AIZENSTAT: -- do we need to swear
6 in anybody that's going to be speaking
7 tonight or -- I understand, apart from
8 attorneys?

9 MS. ALFONSIN RUIZ: Apart from
10 attorneys, unless anyone else is going to
11 speak on any of the items.

12 MR. AIZENSTAT: Is there people here
13 that are going to speak on any of the
14 items? Could you please stand up, if there
15 are and you signed in?

16 (Thereupon, speakers were duly sworn by
17 the court reporter.)

18 MR. AIZENSTAT: Okay, thank you.

19 MR. COE: Let's go to 042-P, the first
20 one.

21 MR. AIZENSTAT: Eric, do you want to go
22 ahead and --

23 MR. RIEL: Yeah.

24 MR. AIZENSTAT: -- start?

25 MR. RIEL: We're going to take up Item

1 Number 5. This is a mixed-use site plan
2 review, alley abandonment and vacation
3 review. This is amendments to a previously
4 approved mixed-used project, referred to as
5 Gables Gateway, located in the industrial
6 section, the intersection of LeJeune,
7 Granello and Ponce Boulevard.

8 This is continued from the February
9 13th, 2008 meeting.

10 MR. AIZENSTAT: Okay.

11 MR. BEHAR: Mr. Chairman, at this
12 time --

13 MR. RIEL: No, wait a minute, I have
14 some more -- I don't know, if you want to
15 go ahead --

16 MR. BEHAR: Mr. Chairman, at this time,
17 I'd like to recuse myself, since this is a
18 project that we're involved with, and I'll
19 be back for the following item.

20 MR. AIZENSTAT: Okay, thank you.

21 (Thereupon, Mr. Behar left the
22 Commission Chambers.)

23 MR. RIEL: Basically, at the last
24 meeting, the Board continued this
25 application, at the request of the

1 applicant. The main issue was the
2 unresolved attainable or affordable housing
3 issue.

4 Based upon a discussion, all the other
5 issues of the project were discussed at
6 that time, and I don't want to put words in
7 the Board's mouth, but typically the Board
8 was in favor of the project. Therefore,
9 the Staff is going to focus its discussion
10 on just the affordable housing issue.

11 However, since we do have two members
12 that were not here, absolutely feel free to
13 ask Staff, as well as the applicant, any
14 question about the project, per se.

15 (Thereupon, Chairman Korge arrived.)

16 MR. RIEL: What I'd like to have Javier
17 do is just come up and give you just a
18 very, very brief overview of why the City
19 is requiring affordable housing on this
20 project, and then I have some additional --

21 MR. AIZENSTAT: If we can also go ahead
22 and note that Tom Korge has joined us.

23 MR. COE: Are you passing the gavel to him?

24 MR. BETANCOURT: Good evening, Mr.
25 Chair, Mr. Vice-Chair, Members of the

1 Board. For the record, Javier Betancourt,
2 with the City's Planning Department.

3 I'm just going to provide a very quick
4 overview of why we're focused on this issue
5 today, and many of you will recall that
6 over the past number of years, affordable
7 housing, or what we're now calling
8 attainable housing -- it's the new term --
9 has become a priority issue at both the
10 State, Regional and County levels.

11 The City has been taken to task in the
12 past by the South Florida Regional Planning
13 Council and the State Department of
14 Community Affairs for not addressing this
15 issue. As a result, we worked with a
16 consultant in developing an affordable
17 housing study which identified the City's
18 needs, as well as strategies for addressing
19 those needs. That study concluded that the
20 City has a total affordable housing need,
21 or attainable housing need, of 2,442 units
22 that we need to address.

23 That number was then divided over 10
24 years, and frankly, to address it in a more
25 doable way, we're only taking a certain

1 percentage of that total number, so that
2 it's a realistic goal, and what we're
3 looking to meet is a need of 437 units over
4 10 years, which translates roughly into
5 about 44 units a year that we need to
6 produce in the City of Coral Gables to meet
7 our housing need and to address the
8 concerns of the Regional Planning Council
9 and the State Department of Community
10 Affairs.

11 Failure to do that will result in
12 penalties and/or the City's inability to
13 pass amendments to the Comprehensive Land
14 Use Plan, and that's particularly important
15 because we are, in the coming months, going
16 to completely rewrite our Comprehensive
17 Land Use Plan. We're doing that as we
18 speak, and we need to get the Regional
19 Planning Council and the State Department
20 of Community Affairs to allow us to adopt
21 that plan.

22 One of the strategies identified in the
23 affordable housing study was inclusionary
24 zoning, where essentially you take a market
25 rate development and you require a

1 set-aside of units for attainable or
2 affordable housing. The ranges in other
3 local governments are between 10, 15, 20,
4 sometimes 25 percent. Oftentimes, in
5 exchange for that requirement, you will --
6 a local government will provide bonuses or
7 incentives, and those range anywhere from
8 height and density bonuses and incentives
9 to waiver of fees, expedited review.

10 The City has been working on developing
11 regulations that will hopefully incorporate
12 some of those incentives. In the meantime,
13 we are requiring that major developments
14 that go through a conditional site plan
15 review process, Zoning Code changes,
16 Comprehensive Land Use Plan changes --
17 we're requiring that those developments go
18 ahead and set aside a percentage of their
19 units for attainable housing.

20 We're being reasonable in our request,
21 particularly considering that we're not
22 providing large incentives with respect to
23 height, density, et cetera. We are looking
24 at some other incentives. In particular,
25 with respect to this project, we're going

1 to try and provide some incentives or a
2 waiver of fees, and I think we'll probably
3 get into that in a little bit, but that's
4 where we are. That's just a very quick
5 overview. If you have any questions
6 concerning this topic, by all means, I'm
7 here to answer your questions.

8 MR. RIEL: And then just to go further,
9 at the last meeting, you know, we debated
10 the issue in terms of the applicability.
11 As Javier said, we're of the opinion, based
12 upon the fact that this is a conditional
13 use review -- they're asking for, you know,
14 residential density, which is not a
15 permitted use -- that we have the
16 opportunity to request affordable housing.

17 We've been working with the applicant
18 since October of 2007 to resolve this
19 issue. As you know, there was some general
20 language in the previous approval that was
21 not very definite, so the applicant wanted
22 some more definitive direction, so we
23 proceeded to go forward with crunching the
24 numbers and whatnot, and as you know, at
25 the last meeting we debated 15 years, 30

1 years, you know, 50 years, and the
2 percentages.

3 I can tell you, since the last meeting,
4 we've discussed different alternatives that
5 Javier has mentioned. As you know, we went
6 to the Commission and suggested bonuses in
7 the past. The Commission didn't support
8 that. We're going to again go forward, not
9 on this project, but to deal with the
10 affordable housing issue, and suggest that
11 for future legislation.

12 Where have we come since the last
13 meeting? The applicant has met with the
14 City Manager and other departments.
15 Basically, I think -- and the applicant and
16 Staff have been very cooperative together.
17 I think we've worked out a solution. The
18 solution -- Let me just say the bottom line
19 is not for the City to secure fees. We
20 want delivery of the units. Some of the
21 solutions that we looked at are reductions
22 in building permit fees, reduction in or
23 elimination of building permit fees for the
24 affordable units only, which is 35 units.
25 We're looking at other incentives, economic

1 incentives, that would be available to this
2 applicant, and I say only this applicant,
3 because as we discussed last time, the
4 precedents it might set. We're working
5 with them closely, and we don't have the
6 information today for this Board in terms
7 of what that will mean, if it's a 10
8 percent reduction, a 20 percent reduction
9 in fees, because we're still working those
10 numbers out.

11 Therefore, the Staff is suggesting,
12 obviously, the Planning Board has a couple
13 alternatives: Recommend as Staff has
14 recommended with the attainable fee;
15 recommend the project with no
16 recommendation on affordable housing, and
17 then that proceeds forward to the
18 Commission; or what we're going to suggest,
19 and we have put some alternative language
20 on a green sheet of paper here, and
21 basically, what we're suggesting is the
22 Board recommend approval of the
23 department's recommendation from the
24 February 13th Staff Report, including the
25 condition on affordable housing, with the

1 incentives, and just as an example,
2 reduction of City's fees -- I just want to
3 note, this does not -- this excludes impact
4 fees, we're not going to look at a
5 reduction in impact fees -- expedited
6 permitting, for this project only, to
7 achieve the delivery of attainable housing,
8 and hopefully when we get this item before
9 the Commission, since that kind of is a
10 fiscal/financial issue, it's probably more
11 appropriate for the Commission to research
12 this issue, and also, as a part of this,
13 we're looking at some other incentives that
14 would go well beyond -- reduction in
15 parking fees, we're looking at all kinds
16 of -- a gamut of all kinds of things, but
17 we haven't finalized those programs yet.

18 Unfortunately, you know, we're not --
19 we weren't able to do that, given the
20 number of departments involved, and as you
21 know, the applicant stated at the last
22 meeting, they look at it from an economic
23 standpoint, in terms of the bottom line.
24 We're looking at it from the standpoint of
25 delivery of units.

1 So that's where we're at today.

2 MR. COE: Where's the applicant?

3 Do you care to respond to what Staff
4 has just said?

5 MS. DOUGHERTY: Yes. Mr. Chairman,
6 Members of the Board, Lucia Dougherty, with
7 offices at 1221 Brickell Avenue, here today
8 on behalf of the owner and the applicant,
9 and joining me this evening is Omar Del
10 Rio, who is a Gables resident and also the
11 principal, as well as Patrick Valent and
12 Javier Font, from Behar & Font, who are the
13 architects, and Juan Espinosa is our
14 traffic engineer.

15 And to answer your question, where we
16 are in terms of the recommendation of the
17 Staff, I think that the Staff recognizes
18 and agrees with us that they should give
19 some sort of financial incentive. They
20 just haven't had the time to quantify what
21 that would be. In other words, we've been
22 talking about if you want a 15 percent
23 reduction -- I mean, 15 percent attainable
24 housing, we think that we should have a 15
25 percent reduction in permit fees, and

1 basically, the City says, well -- the Staff
2 has said, "We can't tell you what that is
3 right now," and our architect can't tell us
4 exactly how much that is right now.

5 So what I think the Staff is
6 recommending is that you recommend approval
7 of this project, with an attainable
8 component, but say to the City Commission,
9 "We also believe that there should be some
10 financial incentives," and we would agree
11 with that condition.

12 MR. RIEL: The only correction I would
13 make is incentive, not necessarily
14 financial.

15 MS. DOUGHERTY: Well, I thought you
16 took everything else off the board so far,
17 so --

18 MR. RIEL: Well --

19 MR. COE: You're still negotiating now
20 with the City?

21 MR. SALMAN: Well, that's what it
22 appears to me, that we're still not done
23 with negotiating.

24 MS. DOUGHERTY: In other words, we
25 don't know what it is. No, that's correct.

1 We don't know the answer yet.

2 MR. COE: Do you want to move this to
3 the next meeting again?

4 MR. SALMAN: That's my point.

5 MS. DOUGHERTY: No, we would like to
6 have it approved.

7 MR. COE: You want a determination from
8 us today, right?

9 MS. DOUGHERTY: We'd like a
10 recommendation of approval of the project,
11 moving it forward with an attainable
12 requirement and with some incentives.
13 That's what we would ask.

14 CHAIRMAN KORGE: Well, is it fair to
15 say that nobody has a handle on how many
16 dollars of incentive are needed?

17 MS. DOUGHERTY: That's correct.

18 MR. SALMAN: But you will have a handle
19 on that by the time you reach the
20 Commission?

21 MS. DOUGHERTY: We believe so.

22 MR. SALMAN: You will have a complete
23 package of concessions on behalf of the
24 City versus the -- your concession of the
25 35 units?

1 MS. DOUGHERTY: That's correct.

2 MR. SALMAN: You will reach a meeting
3 of minds before you go to the Commission.

4 MS. DOUGHERTY: We've agreed to the
5 amount of units. The only issue left is
6 really how much incentives can the City
7 give us, and we think that appropriately,
8 that's the City Commission that's going to
9 make that decision, anyway, so if you -- if
10 we are favorable, if we have your favorable
11 vote, then we'd let that issue be resolved
12 by the Commission.

13 MR. AIZENSTAT: I would think that that
14 should be up to the Commission --

15 MS. DOUGHERTY: Yes.

16 MR. AIZENSTAT: -- and the City
17 Manager's Office and the Building
18 Department.

19 MR. RIEL: And as I said, the City
20 Manager's Office was involved in this. It
21 does include a lot of departments. I think
22 we're there. We just need to see what the
23 bottom line is, and obviously, Staff is
24 going to present to the Commission, but
25 ultimately, the decision is the

1 Commission's, whether or not -- you know,
2 if they feel that incentives are not
3 appropriate, financial, you know, and they
4 want to refer it back to -- I mean, that's
5 an item that will be discussed, I'm sure,
6 at length at the Commission.

7 MR. SALMAN: They can always kick it
8 back down.

9 MS. MORENO: It's a Commission issue.

10 MR. AIZENSTAT: Right. I mean, it
11 appears that you're on the right track, is
12 what I'm hearing.

13 MR. RIEL: Yes. Yes.

14 MR. COE: So you're suggesting Number
15 2?

16 MR. RIEL: Number 4.

17 MR. SALMAN: Number 4, the bold one.

18 MR. RIEL: The bold blue.

19 MS. MORENO: I so move. I move that we
20 recommend approval of the Planning
21 Department's recommendation as provided in
22 the February 13th, 2008 Staff Report.

23 CHAIRMAN KORGE: Well, before -- Excuse
24 me for interrupting. Before we take your
25 motion, perhaps we should hear from the

1 public, if anybody in the public --

2 MS. MORENO: But don't you do the
3 motion and then you open it up for
4 discussion?

5 CHAIRMAN KORGE: That's fine. Go
6 ahead. I don't care, go ahead.

7 MS. MORENO: Including the condition on
8 attainable housing, with incentives,
9 expedited permitting, reduction in City
10 fees, whatever the Commission may decide,
11 for only this project, to achieve the
12 delivery of attainable housing as
13 determined by City Staff and/or the City
14 Commission.

15 CHAIRMAN KORGE: Is there a second to
16 that motion?

17 MR. SALMAN: I'll second the motion,
18 but I have a friendly amendment. I'd like
19 to insert the language that prior to the
20 development of legislation by the
21 Commission with regards to a program for
22 attainable housing, we are making this
23 motion for this project and this project
24 only.

25 MS. MORENO: I accept the amendment.

1 MR. AIZENSTAT: Well, that's the way I
2 understand it.

3 MR. RIEL: That's the intent.

4 MR. AIZENSTAT: It's only for this
5 project.

6 MR. RIEL: That's why we said what we
7 said before.

8 MR. SALMAN: Intent is one thing; words
9 are another.

10 MR. AIZENSTAT: Okay, but it says it's
11 supposed to be site-specific.

12 MR. RIEL: Well, it says for only this
13 project, in the fourth line down.

14 MR. COE: That's what it says.

15 CHAIRMAN KORGE: Okay.

16 MR. AIZENSTAT: Yeah.

17 CHAIRMAN KORGE: So the friendly
18 amendment is accepted. Is there a second?

19 MR. AIZENSTAT: The gentleman went
20 ahead and made his second with --

21 MS. MORENO: He seconded.

22 CHAIRMAN KORGE: Oh, you seconded with
23 a friendly amendment. Okay, so --

24 MR. COE: Yeah, the friendly amendment
25 was the second.

1 CHAIRMAN KORGE: -- the motion is on
2 the table.

3 Let me go back to where we were. Is
4 there anybody in the public here who would
5 like to speak on this proposal?

6 Nobody?

7 Lucia, do you have anything else you
8 want to add?

9 MS. DOUGHERTY: No. I have the boards,
10 and if anybody who wasn't -- never mind.

11 MR. COE: Call the question,
12 Mr. Chairman.

13 CHAIRMAN KORGE: No further discussion?

14 MS. MORENO: No.

15 CHAIRMAN KORGE: Let's call the vote,
16 please.

17 MS. MENENDEZ: Jack Coe?

18 MR. COE: Yes.

19 MS. MENENDEZ: Cristina Moreno?

20 MS. MORENO: Yes.

21 MS. MENENDEZ: Javier Salman?

22 MR. SALMAN: Yes.

23 MS. MENENDEZ: Eibi Aizenstat?

24 MR. AIZENSTAT: Yes.

25 MS. MENENDEZ: Tom Korge?

1 CHAIRMAN KORGE: Yes.

2 MS. DOUGHERTY: Thanks very much.

3 CHAIRMAN KORGE: The next item on our
4 agenda is Item Number 6, Zoning Code Text
5 Amendment, Appendix A, Site-Specific Zoning
6 Regulations relating to the David Williams
7 (sic) Hotel/Condominium.

8 MR. COE: Oh, Mr. Chairman, before we
9 go to the next item, we have not approved
10 the minutes, because we did not have a
11 quorum.

12 CHAIRMAN KORGE: Thank you. I'll take
13 a motion to approve the minutes.

14 MR. COE: So moved, Mr. Chairman.

15 MR. salman: Second.

16 CHAIRMAN KORGE: Seconded. Any
17 discussion on the minutes?

18 Let's call the vote on that.

19 MS. MENENDEZ: Jack Coe?

20 MR. COE: Yes.

21 MS. MENENDEZ: Cristina Moreno?

22 MS. MORENO: I need to abstain. I was
23 not here for that meeting.

24 MS. MENENDEZ: Javier Salman?

25 MR. SALMAN: Yes.

1 MS. MENENDEZ: Eibi Aizenstat?

2 MR. AIZENSTAT: I need to also.

3 MS. MENENDEZ: Robert Behar?

4 MR. BEHAR: Yes.

5 MS. MENENDEZ: Tom Korge?

6 CHAIRMAN KORGE: Yes. The minutes are
7 approved.

8 Now we're at Item Number 6, Zoning Code
9 Text Amendment, Appendix A, Site-Specific
10 Zoning Regulations relating to the David
11 William Hotel/Condominium.

12 MR. RIEL: First, I just want to go
13 over the exhibits. Exhibit A you have in
14 your packet is a draft ordinance. B is a
15 background memorandum that was prepared by
16 Building & Zoning. It gives you additional
17 detail in terms of some of the issues
18 that -- regarding the David Williams (sic)
19 Hotel/Condominium, as well as some previous
20 ordinances.

21 This Zoning Code text amendment is
22 necessary to provide for the continued use
23 of residential units below the minimum
24 required 575 square feet, which is the unit
25 size in the Zoning Code. The subject

1 property has undergone significant changes
2 in the residential use typologies since its
3 construction in the early 1960s, and if you
4 recall, back in 2006, there was a fire at
5 the development, and as a result of that
6 fire, numerous health and life safety
7 issues were identified in the building.

8 Since that time, City Staff, and not
9 necessarily the Planning Department, but
10 other departments, Fire, Police, Building &
11 Zoning, have been working on the health and
12 life safety issues and pretty much resolved
13 a lot of those with the property management
14 as well as the owners.

15 There's one remaining issue, which is
16 the unit size, which is a Zoning Code
17 issue, and I want to emphasize that
18 tonight's recommendation we're asking from
19 the Board is only a Zoning Code issue.
20 We're not -- the intent is not to discuss
21 life safety issues, because those are
22 outside of the purview of the Zoning Code.

23 Basically, what the amendments do, as
24 proposed on the first page of the Staff
25 Report is, there's seven efficiency

1 apartments and 66 units that are
2 substandard in size, below the 575 square
3 feet. The 66 units are taken care of by
4 Item F1, and then the seven efficiency
5 apartment units are taken care of by Item
6 F3. There are also some cabanas that were
7 identified on the property. This does not
8 apply to those, those properties, and also,
9 if you look under F4, since this property
10 has evolved since 1960, there's been a
11 number of ordinances that have been
12 implemented. They deal with a host of
13 issues, but basically, what we're saying
14 is, we're repealing all those provisions
15 that deal with unit size since the
16 inception of the project.

17 These are site-specific regulations.
18 They only apply to this property. They do
19 not set a precedence for other properties
20 within the City, for a reduced unit size.
21 This is an attempt to try to resolve and
22 make those units that are undersized
23 conforming pursuant to the Zoning Code, and
24 we felt this was the easiest manner to
25 resolve this unit size issue.

1 So Staff recommends approval of
2 site-specifics as shown in the Staff Report
3 dated March --

4 MR. SALMAN: Why are we going to zoning
5 rather than a variance?

6 MR. RIEL: That's a good question.

7 MR. SALMAN: It is a good question.

8 MR. RIEL: I don't know. I really
9 haven't been involved in the process.

10 CHAIRMAN KORGE: Probably because there
11 isn't a hardship. They were built
12 illegally.

13 MR. RIEL: That's my guess.

14 CHAIRMAN KORGE: I mean, they weren't
15 built illegally, but as their use as
16 apartments, they're illegal, and so I can't
17 imagine there's really a hardship.

18 MS. MORENO: It's nonconforming.

19 MR. AIZENSTAT: I don't know if you
20 could --

21 CHAIRMAN KORGE: Nonconforming.

22 MR. BEHAR: But at the time of
23 construction, were they legal size?

24 MS. ALFONSIN RUIZ: Yes.

25 MR. RIEL: No.

1 CHAIRMAN KORGE: As a cabana?

2 MR. SALMAN: No, they were not.

3 MR. COE: As cabanas, but not as living
4 units.

5 MS. ALFONSIN RUIZ: At the time of
6 construction, they were legal. The Code at
7 the time allowed units of 400 square feet
8 and above to be efficiency apartments.
9 There was -- and it would have been legal
10 today, had there not been a change of use.
11 There was a change of use from hotel to
12 condominium.

13 CHAIRMAN KORGE: Oh.

14 MS. ALFONSIN RUIZ: And that's why the
15 new Zoning Code would have applied at this
16 time.

17 CHAIRMAN KORGE: I see.

18 MR. COE: Yeah, it's no longer an
19 apartment -- it's no longer a hotel room.
20 It's a condo.

21 MS. MORENO: This probably came to the
22 fore because of the fire, because if
23 there's a fire, you cannot rebuild a
24 nonconforming use.

25 CHAIRMAN KORGE: Yeah.

1 MS. MORENO: So the way to remedy it is
2 by changing the Zoning Code.

3 CHAIRMAN KORGE: Okay.

4 MR. COE: Move Staff's recommendation,
5 Mr. Chairman.

6 MR. BEHAR: Second.

7 CHAIRMAN KORGE: There's a motion and a
8 second. Is there anybody from the public
9 who wishes to speak on this at this time?

10 Nobody? Let's call the roll --

11 MR. RIEL: There is.

12 MR. AIZENSTAT: There's somebody right
13 there.

14 CHAIRMAN KORGE: Then you just -- yes,
15 come on up and you have to be sworn in, I
16 suppose. I don't know if she was.

17 MR. AIZENSTAT: Some people did get
18 sworn in. I don't know if she was.

19 MR. COE: I don't think this lady has
20 been sworn.

21 (Thereupon, SACHA SMITH was duly sworn
22 by the court reporter.)

23 MS. SMITH: Hi, I --

24 CHAIRMAN KORGE: Will you state your
25 name and address for the record, please?

1 MS. SMITH: Sacha Smith, 700 Biltmore
2 Way. I would just like to say that I'm
3 really happy --

4 MR. COE: Can you please speak up and
5 talk into the microphone?

6 MS. SMITH: Oh, okay. I'm really happy
7 that the City is presenting this and that
8 hopefully you will approve it. I would
9 just like to say that I bought the unit
10 four years ago. I hired a realtor. He
11 said, "Well, there's a wonderful unit,
12 residential unit, for sale in this
13 building. It's currently a hotel room, but
14 you can use it as a residential property."
15 And my father called the City. Some woman
16 in your permitting department said, "Oh,
17 yeah, that's a wonderful building." We
18 asked if we could put a gas stove in the
19 building and she said, "Oh, yeah, that's
20 fine." So we did all this, and I had
21 approval by the condominium association.

22 So I would just like you to understand
23 the perspective of the buyer, me, and
24 several other people, that basically we
25 were put in a situation -- it's almost

1 like, you know, a trap, or that we were --
2 you know, I hired a realtor. I had title
3 insurance by a law firm in the City. I
4 forgot the name. But basically, I was just
5 put in a really bad situation, and I'm glad
6 that the City is realizing that.

7 And the problem with the variance is
8 because it's going to cost so much money.
9 For each individual unit owner, it would be
10 about a thousand dollars for something
11 that --

12 MR. BEHAR: Excuse me to interrupt.
13 You do want for us to maintain the size
14 there today, right? You want to keep the
15 sizes?

16 MS. SMITH: Oh, yes.

17 MR. BEHAR: Okay.

18 MS. SMITH: I just -- In case any of
19 you didn't understand what was going on,
20 what happened, that basically we were
21 victims of the developer. So I just want
22 you to understand the perspective.

23 MR. BEHAR: Understand. Understood.

24 CHAIRMAN KORGE: Thank you very much.

25 MS. SMITH: Okay, thank you.

1 MR. AIZENSTAT: Thank you.

2 CHAIRMAN KORGE: Anybody else from the
3 public that wishes to speak at this time?

4 No?

5 MR. COE: Call the question.

6 CHAIRMAN KORGE: Any discussion by the
7 Board?

8 MR. COE: Call the question,
9 Mr. Chairman.

10 CHAIRMAN KORGE: The question is
11 called. No further discussion. Let's
12 call the roll.

13 MR. AIZENSTAT: Just one thing, if I
14 may, Eric, because this is site-specific, I
15 just want to be clear, it's not going to
16 have any impact on any other units within
17 the City or anything else coming back
18 before us?

19 MR. RIEL: No. That's the reason why
20 we did site-specifics. It's only specific
21 to this property.

22 MR. AIZENSTAT: And there's no
23 ramifications down the road, either to the
24 City or so forth, because you're choosing
25 this property as site-specific?

1 MR. RIEL: In my opinion, it doesn't
2 set a precedence for other reduction in
3 size of units.

4 MR. AIZENSTAT: Madam City Attorney?

5 MS. ALFONSIN RUIZ: No, it does not.

6 MR. AIZENSTAT: You're comfortable?

7 MS. ALFONSIN RUIZ: Yes.

8 MR. AIZENSTAT: Okay. Please call the
9 roll.

10 MS. MENENDEZ: Cristina Moreno?

11 MS. MORENO: Yes.

12 MS. MENENDEZ: Javier Salman?

13 MR. SALMAN: I'm going to vote yes,
14 even though I didn't get my answer as to
15 why this wasn't just a variance, because
16 that's what the variance process is for, is
17 for variance from the Zoning Code. We
18 don't change the Zoning Code to suit one
19 particular property.

20 MR. RIEL: I mean, my guess is that
21 it's a hardship issue, whether or not a
22 hardship --

23 MR. SALMAN: All right.

24 MR. RIEL: I mean, that's --

25 MR. COE: No, no. This is not a

1 variance question.

2 MR. SALMAN: No?

3 MR. COE: I think a variance would
4 fail.

5 CHAIRMAN KORGE: Please continue
6 calling the roll.

7 MS. MENENDEZ: Eibi Aizenstat?

8 MR. AIZENSTAT: Yes.

9 MS. MENENDEZ: Robert Behar?

10 MR. BEHAR: Yes.

11 MS. MENENDEZ: Jack Coe?

12 MR. COE: Yes.

13 MS. MENENDEZ: Tom Korge?

14 CHAIRMAN KORGE: Yes.

15 MR. COE: What would be the legal
16 hardship for a --

17 CHAIRMAN KORGE: The next item on our
18 agenda is Number 7, Zoning Code Text
19 Amendment, Section 3-1107, Demolition.

20 To amend the Zoning Code, Section
21 3-1107, Demolition, by adding criteria for
22 the Historical Resources Department to
23 review applications for partial demolition
24 of non-designated properties.

25 MR. RIEL: I'm going to go ahead and

1 turn it over to Kara Kautz, the Historic
2 Preservation Officer. She will make a
3 presentation.

4 MS. KAUTZ: Good evening, Members of
5 the Board. I'm here on behalf of the
6 Historic Preservation Board to request from
7 you all an amendment to the Zoning Code
8 that would allow for Historical Resources
9 Department review of partial demolition of
10 historically significant properties within
11 the City.

12 This came about because the
13 Preservation Board had ongoing concerns
14 about partial demolition of significant
15 residences in the City, and these are not
16 historically designated properties, but
17 properties that are eligible for
18 designation and therefore potentially
19 historically significant.

20 In your packet of information, in the
21 very last section, there are a bunch of
22 photographs that are examples of properties
23 where this was happening throughout the
24 City, and these are properties that the
25 Board decided specifically that they were

1 concerned about, that there was no review
2 of this partial demolition.

3 The Zoning Code currently allows for
4 Historical Resources Department review of
5 full demolition of all property, but
6 nothing for partial demolition. So what's
7 happening is, people were taking down
8 significant portions of potentially
9 historic structures, or removing character-
10 defining features of historic structures,
11 that never came to our department for
12 review, and the Board was concerned that we
13 were losing historic fabric as a result of
14 this.

15 So what happened is, we went back and
16 we did a bunch of research from other
17 municipalities to find who else did this,
18 because it's not -- it's not really widely
19 done for partial demolitions. The City has
20 always been kind of ahead of the curve in
21 terms of historic preservation, and that's
22 what we're asking you for today.

23 There are no deletions from the Zoning
24 Code, only additions to the section
25 entitled Demolition, 3-1107, and what we

1 did is, we clarified that that section
2 would now refer to full or partial
3 demolition, and then we added provisions
4 that would sort of trigger the need for
5 this review, and those triggers include any
6 part of a building or buildings in the City
7 will fall under the provision of this
8 section where the building was constructed
9 more than 50 years before the date of
10 application for demolition, and that's a
11 standard benchmark used for historic
12 preservation of properties, the 50-year
13 benchmark.

14 So that's the first criteria. It has
15 to meet that and any of the other four,
16 which are, it would represent the permanent
17 or temporary removal of more than 25
18 percent of the perimeter walls of the
19 structure; the removal of 25 percent or
20 more of the roof structure; the location of
21 the demolition or proposed demolition is on
22 a primary facade or facing the street; or
23 that the proposed demolition involves the
24 removal of architectural elements which
25 define or contribute to the character of

1 the building. So that would be where you
2 wouldn't be taking down a major portion of
3 the building but those features that really
4 define its architectural style.

5 That's my presentation for you. If you
6 have any questions as to the change, I'd be
7 more than happy to answer them.

8 MR. BEHAR: I have a question.

9 MS. KAUTZ: Uh-huh.

10 MR. BEHAR: You're saying anything --
11 50 years is your thresh point or your -- If
12 I go back to a house that was built in
13 1958 --

14 MS. KAUTZ: Uh-huh.

15 MR. BEHAR: -- 50 years ago, what are
16 the chances I'm going to find -- and that's
17 the problem I'm having with the way you've
18 written this -- something that is
19 significant. For the most part, 99 percent
20 of the homes that were built in the '50s --

21 MS. KAUTZ: Right.

22 MR. BEHAR: -- were ranch-style houses
23 which have very little or no contributing
24 factor.

25 MS. KAUTZ: Absolutely.

1 MR. BEHAR: So would it not be easier
2 to say, you know, let's say, prior to 1945?
3 Because if not, every year, you're going to
4 have to go back.

5 MS. KAUTZ: Right, and what we -- We
6 did the 50-year benchmark because that is
7 the standard in preservation. It is in our
8 Code and as a standard throughout the
9 country.

10 If you have a property that is younger
11 than 50 years of age that is potentially
12 eligible for designation, it has to be
13 exceptional. You have to prove that it's
14 exceptionally important. So, when we get
15 historical significance for full
16 demolition, we obviously look a lot closer
17 at the earlier properties. But the ones
18 that come to us from the '50s, yes, they
19 are of age and they're becoming of age, but
20 that doesn't mean they're all significant.
21 There's still a criteria that we use for
22 designation when determining the
23 significance for full demolition, and they
24 have -- that means they have to be eligible
25 for designation.

1 So, if a home would come to me under
2 this ordinance for a partial demo and it
3 wouldn't meet the criteria for individual
4 designation, then I would have no problem
5 saying that the change is fine. Do you
6 understand? Does that make sense?

7 MR. BEHAR: No, I understand
8 completely. I just do not understand that
9 we have to add more process, you know, more
10 time to this process, and I see -- you
11 know, dealing from this side, dealing with
12 the City, usually it's a longer process.

13 MS. KAUTZ: Right.

14 MR. BEHAR: If we could somehow
15 establish something that is more definite
16 of something that is really significant and
17 contributing, I would feel more
18 comfortable.

19 MS. KAUTZ: Okay.

20 MR. BEHAR: But 50 years from this
21 point on is just -- to me, is not --

22 MS. KAUTZ: Okay.

23 MR. BEHAR: I would rather see it, you
24 know, what time frame, what period do you
25 believe is the most contributing, and I

1 would think anything prior to 1950.

2 MR. AIZENSTAT: What happens, as time
3 goes on? Would then the Historical Board
4 or the Historical Department come before
5 the Planning and Zoning Board and want to
6 change that date? How do you handle that?

7 MR. BEHAR: No. Every year, that gets
8 extended, so before you know it, we're
9 going to be looking at houses built in the
10 1970s as --

11 CHAIRMAN KORGE: Historic.

12 MR. BEHAR: As historic.

13 MS. KAUTZ: But those are -- but those
14 are --

15 MR. COE: Personally, I don't think
16 there's any historical building, I think,
17 after World War II, so --

18 MS. KAUTZ: But those are also a
19 problem that, you know, the preservation
20 field deals with on a regular basis, is,
21 how do you deal with the recent past? You
22 know, 1950 structures are coming into their
23 own as historically designatable, and
24 there's a whole modern movement towards
25 that. That doesn't mean that they're all

1 significant. It means the best and finest
2 examples.

3 MR. BEHAR: But I can understand if
4 you're going to demolish the entire
5 structure, which no matter, regardless, you
6 have to come.

7 MS. KAUTZ: Right.

8 MR. BEHAR: But if I want to take more
9 than 25 percent of the walls, one perimeter
10 wall, you have to come through the whole
11 process.

12 MS. KAUTZ: Right, but it's not -- the
13 process isn't meant to stop people from
14 doing things. It's for us to review if
15 there's -- if we see a potential problem.
16 So, if you wanted to add on to a 1950s
17 house and you wanted to add on in the back
18 and it doesn't face the street, no problem.
19 We take a look, we review.

20 I mean, my Board initially actually
21 asked for review of any demolition of any
22 home older than 50 years of age, and that,
23 we thought, was just too much. So we tried
24 to put in triggers that would reduce the
25 number of reviews that we did.

1 MS. MORENO: What happens if somebody
2 has a feature and they want to demolish it
3 to make an addition to their house? You
4 don't allow them to do that?

5 MS. KAUTZ: No -- I don't -- What do
6 you mean?

7 MS. MORENO: Well, the way that you're
8 saying this, right --

9 MS. KAUTZ: Yes.

10 MS. MORENO: -- it could be triggered
11 if someone has a historical feature --

12 MS. KAUTZ: Uh-huh.

13 MS. MORENO: -- on a portion of the
14 wall that they want to take down.

15 MS. KAUTZ: It's -- They're a
16 case-by-case basis. I mean, it honestly
17 depends. Most architecturally significant
18 features, elements of a property, are
19 generally on primary facades, where they
20 get the most bang for your buck, where
21 people will see them. The majority of
22 people are going to additions to the back
23 of their houses, which we don't have a
24 problem with. We encourage people to do
25 that to historic properties. There's an ad

1 valorem tax abatement. There's all kinds
2 of benefits that people can get. So we
3 say, "Go ahead, do it, it's fine." It
4 doesn't affect the primary facade, and in
5 that case, most of them would be on the
6 rear of the property.

7 MS. MORENO: What if you don't want to
8 go along with the Historical Preservation
9 Board? Do you have a choice?

10 MR. SALMAN: You can take it to the
11 Commission.

12 MS. KAUTZ: No. What happens is, the
13 case now, with full demolition, Staff makes
14 a recommendation to the homeowner. We
15 either say yes, it's significant; no, it's
16 not. If we deem that it is significant,
17 they cannot get a demolition permit. They
18 can appeal to my Board for further
19 determination of significance, in which
20 case the Board has the final say. So it
21 would follow the same procedure.

22 MR. SALMAN: And can't they appeal to
23 the Commission, if they don't get
24 satisfaction at the Board?

25 MS. KAUTZ: Absolutely. Uh-huh.

1 MR. SALMAN: I understand your
2 quandary. These are -- 50 years is a good
3 litmus test, because it's about the time
4 that -- for example, the people who built
5 the buildings in the '30s, in the 1930s --

6 MS. KAUTZ: Uh-huh.

7 MR. SALMAN: -- they weren't building
8 historic buildings to start out with. They
9 were building buildings in a historical
10 style that had a certain amount of
11 character to them.

12 MS. KAUTZ: Right.

13 MR. SALMAN: They've become historic
14 over time because a lot of them have been
15 preserved. I have a question with regards
16 to the demographics of the age of the
17 buildings in the City.

18 MS. KAUTZ: Uh-huh.

19 MR. SALMAN: How many -- how much of
20 the City was built more than 50 years ago?

21 MS. KAUTZ: Oh, gosh. I have,
22 actually, a spreadsheet that has all of
23 the residences by date.

24 MR. SALMAN: I would gather --

25 MS. KAUTZ: The majority of houses --

1 MR. SALMAN: -- it's probably over 60
2 percent of the City was built before 1958.

3 MS. KAUTZ: No.

4 MR. BEHAR: No, no.

5 MS. KAUTZ: Actually, the majority of
6 the homes were built in the '50s.

7 MR. SALMAN: In the '50s?

8 MR. BEHAR: Yes.

9 MS. KAUTZ: A very good percentage.
10 That was the -- that was the real boom for
11 the City.

12 MR. BEHAR: No, it would be probably
13 about 60 percent were built after the '50s.

14 MS. KAUTZ: Yeah. It's a much smaller
15 percentage than what people think.

16 MR. SALMAN: Really?

17 MS. KAUTZ: Yeah.

18 MR. SALMAN: Okay.

19 MR. BEHAR: So could you imagine the
20 process now of going through every
21 single --

22 MR. SALMAN: That's my concern, is that
23 we're burdening a process.

24 CHAIRMAN KORGE: Well, let's back up
25 and then let me ask a basic question.

1 MS. KAUTZ: Uh-huh.

2 CHAIRMAN KORGE: As I read this, every
3 demolition permit in the City has to first
4 be approved and signed by the director of
5 the Historical Resources Department.

6 MS. KAUTZ: Yes.

7 CHAIRMAN KORGE: So every one will come
8 across the desk, and there's going to be --

9 MR. SALMAN: That's full demolition,
10 Tom.

11 MS. KAUTZ: For a full demolition.

12 MR. SALMAN: That's not partial. The
13 issue here is people who want to do a
14 partial demolition.

15 CHAIRMAN KORGE: No, this just says --
16 I'm just reading what it says. It says,
17 "All demolition permits for non-designated
18 buildings must be approved and signed by
19 the director of the Historical Resources
20 Department."

21 The way I am reading that is that every
22 single demolition permit for a non-
23 designated -- I guess that means
24 non-historic buildings --

25 MS. KAUTZ: Right.

1 CHAIRMAN KORGE: -- comes to the
2 director, and I'm assuming that the
3 historic buildings already come for --

4 MS. KAUTZ: We usually don't -- We
5 usually don't sign demolition permits for
6 historic structures.

7 CHAIRMAN KORGE: No, but my point is
8 that if there is any demolition permit for
9 a historic building, that also comes.

10 MS. KAUTZ: Oh, absolutely.

11 CHAIRMAN KORGE: So every demolition
12 permit in the City will come across --

13 MR. KAUTZ: Currently, it's only full
14 demolition. It is not partial demolition.

15 CHAIRMAN KORGE: I'm just telling --
16 Let me back up again. I'm just telling you
17 what this says --

18 MS. KAUTZ: Okay.

19 CHAIRMAN KORGE: -- to me. I mean,
20 maybe that's not what is intended --

21 MS. KAUTZ: Okay.

22 CHAIRMAN KORGE: -- but that's what it
23 says. So I want to be sure I understand
24 this correctly. Every demolition permit,
25 according to this, would come across the

1 desk of the director to be approved and
2 signed.

3 Now, I would assume that in that
4 process, the -- if it's a historic
5 building, that's going to raise a whole
6 different level of inquiry and scrutiny
7 than non-historic buildings. For the non-
8 historic buildings, I'm assuming that the
9 director is going to go through this
10 checklist of, is it more than 50 years old,
11 does it meet one of these other criteria,
12 and then if it meets any of those criteria,
13 what happens next? Does it go for further
14 review to the Board, or is it a decision
15 made by the director?

16 MS. KAUTZ: Staff would make a decision
17 on whether or not it was acceptable,
18 allowable, preferable.

19 CHAIRMAN KORGE: Right.

20 MS. KAUTZ: And then that would go back
21 to Building and Zoning, the building
22 official, in which case the homeowner would
23 have the opportunity to appeal the decision
24 or request further determination from the
25 Historic Preservation Board --

1 CHAIRMAN KORGE: Okay.

2 MS. KAUTZ: -- in the event that they,
3 you know, disagree with me.

4 CHAIRMAN KORGE: Okay, so -- but I'm
5 correct that every permit now is going to
6 go across the director's desk. It's not
7 a -- that doesn't bother me, one way or the
8 other, but it's just another level of
9 review.

10 MS. KAUTZ: Only if they meet this
11 criteria that's outlined.

12 CHAIRMAN KORGE: Well, who's going to
13 determine that they meet this criteria?

14 MS. KAUTZ: The building official, and
15 currently, what happens is --

16 CHAIRMAN KORGE: Well, it doesn't say
17 that, so you need to rewrite it to say
18 that. I mean, maybe that's what's
19 intended, but I don't read it that way.

20 MS. KAUTZ: It's in the first sentence.

21 CHAIRMAN KORGE: The second sentence
22 says, "All demolition permits for non-
23 designated buildings must be approved and
24 signed by the director of the Historical
25 Resources Department."

1 MS. KAUTZ: Right, but it says, "No
2 permit for full or partial demolition of a
3 non-designated building shall be issued to
4 the owner thereof without prior
5 notification by the building official" to
6 my department.

7 CHAIRMAN KORGE: Right, but the next
8 sentence says that your department has to
9 approve it. So you've got to every permit,
10 demolition permit, approved by your
11 department. That's what it says.

12 MR. COE: Exactly. Exactly.

13 MS. KAUTZ: I don't read it that way.

14 MR. AIZENSTAT: That's the way I read
15 it, too, and that's going to bog down --

16 MR. COE: You've read it correctly.
17 You've read it correctly, Mr. Chairman.

18 MR. AIZENSTAT: That's going to bog
19 down the entire system.

20 MR. KAUTZ: That's -- I mean, honestly,
21 that's not how I read it, and that's not
22 how it was intended.

23 CHAIRMAN KORGE: Okay, well, then --

24 MS. KAUTZ: The intent of it is for
25 there to be like a separating of the

1 issues --

2 CHAIRMAN KORGE: So you want the
3 building official to determine first
4 whether it meets the criteria that are
5 underlined at the bottom of that section?

6 MS. KAUTZ: Uh-huh. Yes.

7 CHAIRMAN KORGE: Okay. I would suggest
8 that, you know, assuming this gets
9 approved, that it be revised to read that
10 way, so that everybody who reads it for the
11 first time would understand it to mean
12 that.

13 MS. KAUTZ: All right.

14 CHAIRMAN KORGE: Because I, just
15 reading it, you know, cold, did not read it
16 that way.

17 MR. AIZENSTAT: And I would also like
18 to see a time period, as opposed to maybe
19 the 50-year benchmark, for myself.

20 MR. BEHAR: I agree.

21 MR. AIZENSTAT: I don't know how
22 anybody else feels about that.

23 MR. COE: I think that's just one of
24 the very numerous problems with this
25 proposal. I think it's, candidly,

1 half-baked, and I'd like it to go back to
2 Staff to be revamped to make it more
3 coherent.

4 I think this is an undue restraint on
5 private property. I think it creates
6 outrageous restraints for somebody that
7 wants to remodel one's house, that would
8 have to go through all of this rigmarole.
9 I think it's ridiculous, and I think any
10 house that is built after 1945, in my
11 judgment, has minimal or no historic
12 significance and should not be included in
13 this. For those reasons, I intend to vote
14 against this proposal.

15 CHAIRMAN KORGE: What makes something
16 have historical significance? Is it the
17 architectural value? Is it the role it
18 played in the development of the City,
19 or --

20 MS. KAUTZ: There's a number of
21 criteria that are outlined in the Zoning
22 Code. It can be based on architectural,
23 which means that it has architectural
24 merit, it has defining features, it's an
25 important architect. It can be associated

1 with history or cultural movements within
2 the City, social movements. It can be the
3 site of something important.

4 The majority of the homes we designate
5 are architecture/architect and the people
6 who live there.

7 MR. BEHAR: But it could be also
8 compatibility with the surrounding
9 neighbors, right?

10 MS. KAUTZ: That's not why we
11 designate.

12 MR. COE: That's not one of their
13 criteria.

14 MR. AIZENSTAT: Let me ask a question.

15 MS. KAUTZ: Unless, of course, we're
16 doing a district, in which case there would
17 be a large number that are grouped
18 together.

19 MR. AIZENSTAT: What happens if I build
20 a home today, a 19 -- I mean, a 2008 home
21 that is a replica of a 1920s home?

22 MS. KAUTZ: What do you mean?

23 MR. AIZENSTAT: Meaning, I want those
24 features in there, I want it to look like
25 an old home, but it's a brand new home.

1 MS. KAUTZ: Okay.

2 MR. AIZENSTAT: And then, down the
3 road --

4 MS. KAUTZ: I don't ever review that.

5 MR. AIZENSTAT: They'll never -- no,
6 but down the road, in 10 years, or 15
7 years, somebody buys that and wants to go
8 ahead and add to it or add more than 25
9 percent or demolish it. Would that home
10 then have to come before --

11 MS. KAUTZ: No, because it wasn't built
12 more than 50 years ago.

13 MR. COE: No, in 50 years, it would be
14 more than 50 years from now. That's the
15 problem with the 50-year number.

16 MR. BEHAR: Right.

17 CHAIRMAN KORGE: Right, and the barrier
18 I see to a date certain is that for right
19 now, that really fits with what we have in
20 mind, and let's say in 20 years from now,
21 when buildings built in the 1950s may all
22 of a sudden be considered to be more
23 special than they are today, at that time,
24 whoever is sitting here could bring it to
25 the -- you know, to the Commission, to

1 propose that we move that date because we
2 need more protections from 1945 to say,
3 1955, for example.

4 So, I mean, I see -- I see the merit
5 and the certainty in terms of administering
6 this, because now you've got a date
7 certain, and you're not looking each year
8 and the date's not a rolling date, but
9 dealing further with even the date certain,
10 how do you ascertain -- just out of
11 curiosity, how are you going to ascertain
12 the actual construction date? Do you have
13 records that are clear on that --

14 MS. KAUTZ: Yeah.

15 CHAIRMAN KORGE: -- in all cases?

16 MR. COE: And what about additions?

17 MR. SALMAN: Or major remodelings?

18 MR. COE: What about major remodeling,
19 where you have additions to the house?
20 Which is the year that counts, the original
21 construction year? And if, along the way,
22 you have remodeled and demolished and
23 remodeled and demolished --

24 MS. KAUTZ: It would be the original
25 construction date.

1 MR. COE: -- so the original house is
2 de minimis?

3 MS. KAUTZ: It's the original
4 construction date, and the way we do the
5 full demolition review, you know, we do do
6 research on the properties that come to us.
7 So, if it's a 1950s ranch house that was
8 built to be a ranch, not a significant
9 architect, and has been Mediterraneanized,
10 it has lost whatever architectural
11 character or not character that it's had.
12 It's been embellished. It's no longer the
13 house that it originally was. In that
14 case, those homes are no longer
15 significant, because they've lost their
16 architectural integrity.

17 It's the same scenario for this. If
18 you want to demolish an addition that was
19 put onto a house at a later date, it's not
20 important to the original architectural
21 integrity of the structure.

22 MR. COE: Where does it say that in
23 this, though?

24 MR. SALMAN: Would you mind adding
25 language that says houses that have not --

1 that are still in their original condition
2 as they were built? Because I see what
3 you're trying to protect, but your net's
4 too wide.

5 CHAIRMAN KORGE: Well, let's not get
6 confused here, because there's -- the one
7 criteria is the date of construction, and
8 that's -- you know, that provides a great
9 deal of certainty to eliminate from any
10 administrative review the vast majority of
11 houses that would be subject to demolition,
12 full or partial demolition. So that, in
13 and of itself, is a separate criteria.

14 Then, in terms of architectural -- so
15 if, for example, a building constructed in
16 1935 had gone through several renovations
17 and some changes and whatnot, it would be
18 subject to review until such time as it was
19 completely demolished and rebuilt,
20 regardless of whether it has any continuing
21 architectural value, and the other criteria
22 you'd be looking at would be these other
23 four criteria, as I understand the way this
24 is intended to be read, and if any of these
25 other four criteria is met, then -- then

1 the Department would have the initial
2 discretion to permit, and they'd have to
3 give their reasons for it.

4 MS. KAUTZ: Uh-huh.

5 CHAIRMAN KORGE: If the permit were
6 denied, for whatever reason, the owner
7 could appeal that decision first to

8 MS. KAUTZ: Historic Preservation.

9 CHAIRMAN KORGE: -- the Board, and then
10 subsequently to the Commission.

11 MS. KAUTZ: Yes.

12 CHAIRMAN KORGE: Presumably, the reason
13 for denial wouldn't be simply, well, more
14 than 25 percent of a perimeter wall has
15 been destroyed, but that there's some
16 architectural issue or it's a historically
17 significant building because of events that
18 took place there or whatever.

19 So the way I read this is, I would not
20 want to confuse the cut -- for me
21 personally, I would not want to confuse
22 that cut-off date with the other criteria,
23 because I think then it becomes much more
24 difficult to administer.

25 MS. MORENO: Well, I think what she's

1 proposing is two steps. If it's more than
2 50 years old and if it's 25 percent or more
3 that is being demolished, it's going to go
4 to her, and then she decides if it meets
5 the criteria.

6 CHAIRMAN KORGE: Right.

7 MR. BEHAR: Well, don't forget that
8 this is all structures, all renovation.

9 MS. MORENO: Everything.

10 MR. BEHAR: First it's going to --

11 MS. MORENO: No, my threshold issue is
12 the 25 percent. I have a real problem with
13 that.

14 MR. BEHAR: All these structures are
15 going before the Board of Architects and
16 before a City Architect, which is, you
17 know, for the record, a great individual,
18 who does a great job. So the process goes
19 to the Board of Architects and the City
20 Architect already. So to go through an
21 additional process, to me, I find it to be
22 a little bit --

23 CHAIRMAN KORGE: So why is it? Why
24 does it go through that additional process?
25 Why do you think it's necessary to go --

1 after it goes to the City Architect, to go
2 to the Historical Resources Department? Do
3 you think the City Architect --

4 MS. KAUTZ: Any number of these
5 pictures that are on your exhibits --

6 CHAIRMAN KORGE: Uh-huh.

7 MS. KAUTZ: -- are things that have not
8 come to us for review, and these are
9 incredibly significant buildings that are
10 in various states of partial demolition.

11 What happens is, there's a lot of --
12 there are people who are buying property in
13 the City, obviously -- I mean, everyone
14 does that on a daily basis -- that people
15 are leaving one wall standing so that it
16 doesn't get reviewed by my Board or by me,
17 of significant buildings, and it's meant to
18 stop that from happening. I mean, there
19 are cases -- there's a house in there, the
20 garage was torn off of a -- I think it was
21 like Permit Number 140 and a very
22 significant architect, and they just ripped
23 the garage off without any bearing --

24 MR. BEHAR: But Kara, you bring a good
25 point, and you show me the photograph.

1 1329 Alhambra Circle, built in 1925 --

2 MS. KAUTZ: Uh-huh.

3 MR. BEHAR: -- 2209 Alhambra Circle,
4 built in 1929; 3009 Alhambra Circle, built
5 in 1926.

6 MS. KAUTZ: Uh-huh.

7 MR. BEHAR: Columbus Boulevard, 1935;
8 Granada Boulevard, 1941. So everything is
9 prior to 1945.

10 MS. KAUTZ: I mean, I can get you
11 examples of later ones, but this is -- I
12 mean, obviously, the earlier properties
13 are our focus.

14 CHAIRMAN KORGE: But that's a different
15 issue --

16 MR. BEHAR: But --

17 CHAIRMAN KORGE: I'm sorry to
18 interrupt, but that's a different issue
19 from why her department would be required,
20 separately, to review it after the City
21 Architect has reviewed it.

22 My question was, why would it be
23 important, after the City Architect --
24 after he goes through all these other
25 reviews, for the Historic Preservation

1 Board or Historic Resources Department,
2 excuse me, to review the demolition, as
3 well? And so I guess, really --

4 MS. KAUTZ: And these are cases -- and
5 our Board, the Historic Preservation Board,
6 looks at properties differently than the
7 Board of Architects, and that's what people
8 don't understand sometimes, is that they
9 work concurrently, but not always looking
10 at the same things.

11 When properties come to my Board that
12 are designated, that they want to do
13 additions, that my Board has to review
14 because they're already designated, they go
15 to Board of Architects first. My Board
16 wants to know what their comments are.
17 They do -- they listen to their comments.
18 They want to know what they have to say.
19 But they review things, you know, based on
20 aesthetics, based on the Code, based on any
21 number of different features. My Board
22 looks at the standards -- Secretary of
23 Interior standards for rehabilitation,
24 which are the impact of what you're doing
25 on a historic property.

1 So they may say, "Oh, yeah, this is
2 great, put in sliding glass doors, we think
3 that's fabulous, it gives access to the
4 exterior." My Board would say, "Absolutely
5 not. You're introducing features that
6 would never have been in this property."

7 So they look at things differently than
8 the Board of Architects.

9 CHAIRMAN KORGE: Yeah, but these are
10 already historic properties.

11 MS. KAUTZ: No, but in their previous
12 form, not the way they look in these
13 photographs, they are historically
14 significant and are eligible for
15 designation.

16 MR. BEHAR: And I see your point of
17 view and I appreciate it, and I think
18 that's fine, but if -- you know, if a
19 structure was built prior to a year, you
20 know, then I could see it for anything
21 coming to you. I don't have a problem with
22 that. I think that we have to set a date
23 certain, and from that point back, you
24 know, everything comes to you, where
25 there's a window --

1 MS. KAUTZ: Okay.

2 MR. BEHAR: -- it comes to your Board
3 for approval.

4 MS. KAUTZ: If you think --

5 MS. MORENO: Wait, I don't want that.

6 MR. BEHAR: Well --

7 MR. SALMAN: No, I don't want that,
8 either. What happens if a --

9 MS. MORENO: That's too much.

10 MR. BEHAR: But, Cristina --

11 MS. MORENO: That is just too much.

12 You know, I mean, you're depriving people
13 of your right to deal with your property,
14 very lightly. I --

15 MR. BEHAR: But if this project -- if
16 the house was built prior to, let's say,
17 1945 --

18 MS. MORENO: Let's say it's a 1925
19 house, okay, and it's -- I live in a 1923
20 house. Anything I do in my house is
21 tremendously expensive. At what point do I
22 say it's just not worth it, I need to be
23 able to put in some more modern features
24 here, and because I'm going to do something
25 that's very small, that's maybe on the back

1 of the property, I can be prevented from
2 doing that? I don't think that's -- I
3 think that's a deprivation of my right to
4 Absolutely. Absolutely.

5 MR. BEHAR: But --

6 MS. MORENO: You know, I just don't
7 agree. 25 percent? I mean, one thing is
8 for you to say if you're going to tear down
9 the facade, but to say anything that's 25
10 percent is going to go and be subject to
11 being told, "No, you cannot do it"?

12 MS. KAUTZ: Right, but it's not even a
13 matter -- It's not a -- Like I said, it's
14 all going to be -- It's a case-by-case
15 basis. When we do -- When we do -- I can
16 compare this in only from having done full
17 demolitions for, you know, going on two
18 years now. When that occurs, and I should
19 have brought it, there's a letter that we
20 issue to the homeowner, saying, you know,
21 this is eligible for designation, this will
22 require review by the Board; no, this is
23 not eligible for designation; it does not
24 require review by the Board, should a
25 demolition permit be asked for, or

1 requested.

2 It would be the same sort of format.
3 If you're doing an addition -- We're not
4 trying to stop people from doing additions
5 to property. It's a matter of if you are
6 doing something that is going to destroy
7 the historic integrity of the home, and
8 that's where the -- It's not -- I don't
9 want to stop everybody from, you know,
10 expanding, from making improvements.
11 That's not the intention of this. The
12 intention of this is to preserve the
13 features of the City that are
14 architecturally significant. In most
15 cases, it's front facades and primary
16 facades, where they're visible.

17 MR. COE: Well, I understand what
18 you're saying and I understand your intent
19 and I understand the intent of why this is
20 here. I think what I'm hearing, and
21 certainly my feeling is, the language that
22 we're being presented is something I do not
23 think I'm going to vote for. I think it's
24 an undue restraint of my private property
25 rights and the private property rights of

1 every homeowner of Coral Gables.

2 MS. KAUTZ: Well --

3 MR. COE: I mean, I just don't quite
4 understand --

5 MS. MORENO: Who buy their homes
6 without even knowing that you're subject to
7 this kind of review and this kind of
8 impediment.

9 MR. COE: 25 percent is a very small
10 amount of one's property.

11 CHAIRMAN KORGE: Well, see, I've got to
12 say I don't necessarily agree with that
13 view, in that I don't read this as doing
14 anything more than requiring further
15 review. It doesn't tell me at all what --

16 MR. COE: Another layer --

17 CHAIRMAN KORGE: Let me finish. It
18 doesn't --

19 MR. COE: Another layer, Mr. Chairman.

20 CHAIRMAN KORGE: I understand that.
21 Believe me, I understand the bureaucracy,
22 because it's unbelievable, and it's not --
23 it's really almost dysfunctional right now,
24 but that's another issue that doesn't have
25 to do with this particular -- this

1 particular Code amendment.

2 All this Code amendment tells me -- I
3 don't think it's artfully drafted, but it's
4 telling me that if the building official
5 determines that this highlighted criteria
6 at the bottom of the proposed Section
7 3-1107 exists, then it will go to the
8 Historic Resources Department to determine
9 whether the demolition is appropriate,
10 under standards that I don't see here. I'm
11 assuming the standards by which you would
12 determine whether the demolition is
13 appropriate for this non-designated
14 building is set forth elsewhere in some
15 Code, because if it isn't, I don't see this
16 as having any value at all. I don't think
17 you can have absolute discretion, and I
18 think that's probably what's raising the
19 hackles here of some of our Board members,
20 to simply -- you know, I'm not suggesting
21 you would do this, but just say, without
22 any reason, "Well, I like that building the
23 way it is, you can't change it."

24 So I think what would be helpful for
25 our Board members would be to understand

1 the criteria by which a decision would be
2 made if a building that fits within this
3 criteria were presented to the Historic
4 Resources Department for approval and so
5 forth.

6 MS. MORENO: That would not convince
7 me. I'm not going to go for an ordinance
8 that subjects people to having three levels
9 of review or another level of review on a
10 potential of being told no because they
11 want to demolish 25 percent of their house.
12 25 percent. You know, if you tell me it's
13 the front, the front facade, okay, I can
14 live with that, but 25 percent of your
15 home? You could be destroying the back of
16 your house and you've got to go through
17 this and they could tell you no because
18 you've got something in the back that's
19 historically significant? I just -- I
20 think that is an impingement on property
21 rights that far outweighs the benefit to
22 the City.

23 MR. BEHAR: Well, it goes further.
24 It's not even 25 percent of the home. It
25 could be 25 percent of the perimeter walls

1 of the structure, so it could even --

2 MR. COE: It may be 10 percent of the
3 house.

4 MR. BEHAR: Of just the perimeter
5 walls, so --

6 CHAIRMAN KORGE: But it doesn't tell us
7 anything, because we don't know, at least I
8 don't know -- and assuming a building fit
9 within this criteria, I don't know what if
10 anything you could do to stop its
11 demolition, because I don't see any
12 explanation in this ordinance, proposed
13 ordinance, of the standards by which you
14 would make that decision. These aren't the
15 standards by which you would make a
16 decision. These are the criteria by which
17 a building would come before you to make a
18 decision.

19 MS. KAUTZ: But if you read the meat of
20 the section, it falls -- the criteria fall
21 under the same as the full demolition. It
22 would be the same --

23 CHAIRMAN KORGE: I'm sorry, I can't
24 hear you.

25 MS. KAUTZ: It would be the same review

1 process as a full demolition, but not. So,
2 if you look under -- in like the middle of
3 the paragraph, "The Historical Resources
4 Department may require review by the Board
5 if the building to be demolished is
6 considered eligible for designation as a
7 local historic landmark or is a
8 contributing building or property within an
9 existing landmark district."

10 So there are criteria set forth in the
11 Code that we use to review for historical
12 significance.

13 CHAIRMAN KORGE: Right. I assume that
14 is the case.

15 MS. KAUTZ: Yes.

16 CHAIRMAN KORGE: I guess what I was
17 saying is that if that were -- maybe
18 Cristina doesn't agree under any
19 circumstances, but I think if that were
20 presented to us, as well, and we knew what
21 those criteria were, all of the discussion
22 which right now is in the abstract about 25
23 percent of the perimeter walls and so forth
24 wouldn't be so abstract and maybe we could
25 focus and give you more guidance on what

1 we're looking for, but I don't --
2 personally, I don't know what would happen
3 after it went to this review, because I'm
4 not familiar with the criteria. I guess
5 maybe I should be, but I'm not familiar,
6 readily familiar, with the criteria for
7 local historic landmarks or contributing
8 buildings or properties, and if that
9 criteria is so clear and definitive that
10 it's not going to cause concern simply
11 because it's 25 percent of a perimeter wall
12 is what it involved, maybe those issues
13 that are really bothering people here would
14 just start disappearing.

15 MR. SALMAN: Likewise, through the
16 Chair, I think if you added the language
17 of, you know, 50 years before the date of
18 application and in ostensibly its original
19 condition, because there have been
20 buildings that have been built in the
21 last -- you know, more than 50 years ago
22 that are nothing like they were originally,
23 that you're going to be catching with this
24 ordinance.

25 MR. COE: Yeah.

1 MR. SALMAN: And so there's really
2 nothing to protect. So you're forcing a
3 review of something that is going to be
4 wasting your time and everybody else's.

5 CHAIRMAN KORGE: Yeah, but who's going
6 to make that determination?

7 MR. SALMAN: Well, that's what I'm
8 saying. It's very easy, because you can
9 get the list of the permits.

10 CHAIRMAN KORGE: The building official
11 will be able to make that --

12 MR. SALMAN: Right away. You can see
13 the list of the permits that have been
14 pulled. For example, you know, our house
15 was built in 1948.

16 CHAIRMAN KORGE: Uh-huh.

17 MR. SALMAN: In 1999, we did a major
18 remodeling. It doesn't look anything like
19 the original house.

20 MS. KAUTZ: And --

21 MR. SALMAN: But, you know, in a matter
22 of 10 years, I would be before the Board,
23 trying to tell them that, by the way, this
24 isn't the original house anymore.

25 MS. KAUTZ: Then in which case your

1 property would not be eligible for
2 designation.

3 MR. SALMAN: I'm saying in 10 years, I
4 would.

5 MS. KAUTZ: No, I know, but what I'm
6 saying is, if you -- I mean, no -- nothing
7 against the building official, but --

8 MR. SALMAN: No, no.

9 MS. KAUTZ: -- the determination of my
10 department staff, I can pretty much look at
11 a building and tell you if it's been
12 altered enough to be designatable. It's
13 a -- it's a -- they can look at it --

14 MR. SALMAN: I know, but it goes back
15 to the language and the intent, and the
16 more specific you are to what your intent
17 is to protect, the less you're going to be
18 enforcing a review on people who are not
19 necessarily going to be needing or
20 requiring that kind of a review.

21 I understand your intent is to protect
22 the historic fabric of the City, and I can
23 see where a lot of Board members have been
24 seeing buildings built during what we
25 consider the historic period before 1945

1 have big chunks of it knocked off as people
2 buy them and remodel them, and the way the
3 Code reads is only a full demolition is
4 brought before your Board for review.

5 MS. KAUTZ: Right.

6 MR. SALMAN: What you're trying to do
7 is say, "Hey, partial demolitions are
8 important to us, too," and I can understand
9 that, and that makes sense, and I'm not
10 arguing the sense or the intent of what
11 you're trying to do. I think the problem
12 to this Board has to do with the language
13 before us for recommendation for approval.

14 So my position is that you should take
15 it back and come back with something that
16 is more approvable, because the way it
17 stands now, based on the temperature of the
18 Board, at least as I read it, it's going to
19 be problematic.

20 MR. AIZENSTAT: Do we need a motion?

21 MR. SALMAN: I'm going to make a motion
22 to defer this item, until it comes back to
23 us with better language.

24 MR. BEHAR: I'll second that.

25 CHAIRMAN KORGE: Second that, but

1 before we take a vote on that or further
2 discussion, if there's further discussion,
3 I'd like to point out one other comment
4 that I have.

5 If and to extent that a permit,
6 demolition permit, goes before the
7 Historical Resources Department, I would
8 like to see some time period within which
9 the department must make a decision, and
10 failure to make the decision will
11 constitute approval by the department, so
12 that, you know, it doesn't linger.

13 I'm not suggesting that anybody in that
14 department is anything less than diligent,
15 but, you know, as it is, it takes a long
16 time to get anything done in the City.

17 MS. MORENO: I'd also --

18 CHAIRMAN KORGE: And that would be --
19 in my mind, that would be helpful, as well.

20 MS. MORENO: I'd also like to know what
21 criteria is used for balancing the cost to
22 the homeowner against the benefit of
23 historic preservation, because I think
24 there are homes out there -- I mean, I
25 remember one of my neighbors had a home

1 that it was just not repairable. So what
2 do you do when it's -- when the cost to
3 repair is -- The City is not providing any
4 incentive for that, is it?

5 MS. KAUTZ: No.

6 MS. MORENO: Are you helping bear the
7 cost of remodeling an older home?

8 MS. KAUTZ: No, but I mean, if the home
9 were that badly damaged and it came to us
10 for full demolition, there's an undue
11 economic hardship section of the Zoning
12 Code that would go into effect, and the
13 homeowner could say undue economic hardship
14 for preservation.

15 MS. MORENO: What is undue hardship?

16 MS. KAUTZ: It's not accurately defined
17 in our Code. It's any -- it's whatever the
18 homeowner wants to present to my Board to
19 prove economic hardship.

20 MS. MORENO: So, if I go to you and I
21 say to you, "It's going to cost me three
22 times to maintain this as it would to tear
23 it down and build a new house," you'd say
24 that's undue hardship?

25 MS. KAUTZ: No. You need to prove it.

1 MS. MORENO: Okay, well, let's say that
2 I prove it.

3 MS. KAUTZ: Then my Board listens to
4 claims of economic hardship.

5 MS. MORENO: See, I always thought that
6 the historic designation in Coral Gables
7 was kind of voluntary. You're telling me,
8 really, that it's imposed on people and
9 that they can't do anything about their
10 homes if they have a historic home.

11 MS. KAUTZ: It's not imposed on people
12 without a reason. We do not require
13 homeowner consent for designation. We like
14 to. We like to work with homeowners, but
15 it is not required.

16 MS. MORENO: I think that needs to be
17 clearer to the public than what it is
18 today, because I think people would not buy
19 some of these historic homes if they knew
20 that they were so limited, and that
21 concerns me, because I own a historic home.
22 Somebody may not want to buy my house if
23 they knew that they were so limited.

24 MS. KAUTZ: I can argue this with you
25 forever.

1 MS. MORENO: Yeah.

2 MS. KAUTZ: There are --

3 MS. MORENO: But I certainly --

4 MS. KAUTZ: There are studies that show
5 that historically designated homes retain
6 their value more than those are not, so I
7 can --

8 MS. MORENO: Ultimately, my point is, I
9 can see when you're going for full
10 demolition, but I have a very hard time
11 with 25 percent.

12 CHAIRMAN KORGE: Any other comments
13 before we vote?

14 MR. COE: Call the question,
15 Mr. Chairman.

16 CHAIRMAN KORGE: A motion to defer,
17 will you call the question, please?

18 MS. MENENDEZ: Javier Salman?

19 MR. SALMAN: Yes.

20 MS. MENENDEZ: Eibi Aizenstat?

21 MR. AIZENSTAT: Yes.

22 MS. MENENDEZ: Robert Behar?

23 MR. BEHAR: Yes.

24 MS. MENENDEZ: Jack Coe?

25 MR. COE: Yes.

1 MS. MENENDEZ: Cristina Moreno?

2 MS. MORENO: Yes.

3 MS. MENENDEZ: Tom Korge?

4 CHAIRMAN KORGE: Yes.

5 MS. KAUTZ: Thank you.

6 MR. COE: Can we have a break,
7 Mr. Chairman?

8 MR. RIEL: Yeah, Mr. Chair, can we take
9 a break? Because we have a multimedia
10 presentation we need to CHAIRMAN KORGE:
11 Okay. Is five minutes enough?

12 MR. RIEL: Yeah, five, eight minutes,
13 fine. 7:15, come back?

14 CHAIRMAN KORGE: Okay, 7:15.

15 (Thereupon, a recess was taken.)

16 CHAIRMAN KORGE: We're reconvening, and
17 I've been reminded by Mr. Coe that when
18 it's time for people who wish to speak from
19 the public, they're allowed no more than
20 three minutes, and if they speak more than
21 three minutes, Jack promised to come and
22 hit me.

23 So, proceed, Mr. Riel.

24 MR. RIEL: This is a Planning and
25 Zoning Board discussion and recommendation

1 to allow metal roofs within a specific
2 geographic area or City-wide.

3 On July 17th, 2007, the City Commission
4 approved a Zoning Code text amendment on
5 second reading. It was a four-to-one vote,
6 to permit the submission of building permit
7 applications for standing seam metal roofs
8 as an allowable roofing material for a
9 period of 90 days or up until October 17th,
10 2007, in the areas east and south of U.S. 1
11 or South Dixie Highway.

12 Let me just -- let me back up a minute.
13 I just want to go through the exhibits.
14 The draft ordinance, Exhibit A. B is the
15 City Commission cover memo that provides
16 some background information. You have a
17 DVD of the January 8th City Commission
18 proceedings. You also have a verbatim
19 transcript. You have a notification list,
20 updated comments, which are on kind of the
21 coral or pink sheets, and then you also
22 have a metal roof progress report, and in
23 the back, there's a map, as well. I want
24 to make sure those get entered into the
25 record.

1 As I indicated, the Commission
2 recommendation was to allow east and south
3 of U.S. 1. We have a large map to the side
4 here. If you look on the map, we've
5 identified each of the properties where
6 those individuals had sought to install a
7 metal roof within the 90-day period.

8 As you know, it was part of this
9 Board's discussion, on July 17th, 2007, the
10 City Commission recommendation was a result
11 of extensive public input, public meetings.
12 There was a special Metal Roof Advisory
13 Committee, which your vice-chair chaired,
14 with representatives of the Board of
15 Architects and Historic Preservation. The
16 Planning and Zoning Board discussed the
17 issue. The Board of Architects discussed
18 the issue. The Historic Preservation Board
19 discussed the issue.

20 The research that we completed -- and
21 as a part of that process for that 90-day
22 what I'll call a trial or temporary period,
23 we looked at the type of metal roofs;
24 prohibition on replication, in terms of
25 materials; the installation, in terms of

1 what types of residences were allowed;
2 color limitations, and I have the palette.
3 These were the five colors that were
4 ultimately decided to be permitted, under
5 the proposed 90-day trial period, if you
6 want to look closer.

7 Roof pitch, there was restrictions on
8 that; insulation, in terms of a
9 manufacturer; and also a requirement that
10 the full Board of Architects review and
11 approve, looking at context and
12 compatibility, per the criteria that is in
13 the current Zoning Code.

14 As a part of that 90-day review, Staff
15 was required to come back to the Commission
16 to give a progress report. We did that on
17 January 8th of 2008. At that time, the
18 Commission asked us to provide to this
19 Board, as well as the Commission, a video
20 and an update of this metal roof progress
21 report. This is an updated version,
22 because at the time we went back in
23 January, there were approximately six or
24 seven roofs that had not been completed.
25 So this is an updated version of that, and

1 I'm going to go into a little bit more
2 detail in terms of what this -- what's
3 included in here.

4 At the time when Staff presented to the
5 City Commission, they asked for a
6 recommendation from the City regarding
7 continuance of the program City-wide/
8 specific area. City Staff debated the
9 issue, discussed the issue. We came to the
10 conclusion -- my office came to the
11 conclusion and the City Architect as well
12 as the Historic Preservation Officer -- we
13 made a recommendation that if the
14 Commission desires to proceed forward with
15 allowing metal roofs, if they decide to
16 proceed forward, we again recommend only
17 the southern portion of the City.

18 I'd like to call up Carlos Mindreau,
19 our City Architect. He's going to
20 articulate, in much better form, in terms
21 of our basis for our recommendation. He's
22 also going to give you an outline. We went
23 to the Board of Architects last -- two
24 weeks ago. We're going back tomorrow with
25 another presentation. The intent is to go

1 to the Commission on April 8th with your
2 recommendation, the Board of Architects,
3 and then the City Commission can provide
4 the direction.

5 After Carlos is finished, I have --
6 I'll go through the report, and we have a
7 video, as well.

8 MR. MINDREAU: Good evening. The basis
9 for the allowance or the recommendation to
10 allow metal roofs in the portions of the
11 City to the south and to the east of U.S. 1
12 was essentially one that we both voiced in
13 a meeting with each other, really, from
14 separate perspectives.

15 Primarily, I felt strongly that the
16 areas that were to the south of U.S. 1 were
17 stylistically and architecturally a bit
18 more diverse than the areas to the north,
19 which seemed to have a concentration of the
20 more historic 1920s to 1945 vintage
21 residences.

22 More significantly, the scale of the
23 homes to the south and the relationship of
24 one building site to the adjacent building
25 sites was considerably different to the

1 south than it is to the north, in that
2 their lots were bigger. The area -- the
3 green space between homes is bigger, as
4 well, including the fact that in the areas
5 to the south, there is already -- as a
6 result of the annexed areas, there is
7 already a preponderance of some areas that
8 have allowed standing seam metal roofs in a
9 variety of colors. Those areas continue to
10 have a permitted use for standing seam
11 metal roofs.

12 This ties in almost directly with the
13 issues to the north. The converse would be
14 applicable to the areas in the north. The
15 lot sizes are smaller. The relationship of
16 the homes, one to the other, is much more
17 immediate. The nature of the architecture
18 in the areas that are more historic is less
19 conducive to standing seam metal roofs
20 being appropriate.

21 I felt strongly that it was necessary
22 to preserve not just the individual homes
23 that were of a historic nature, but also
24 the ambience or the environment in which
25 these homes sit. And so, as a result, I

1 felt that introducing a new material or a
2 new element in these areas, even though the
3 specific building might to some degree be
4 appropriate, I felt that the introduction
5 of this element in the neighborhoods to the
6 north, particularly to the very north, but
7 in general to the north, would dilute the
8 experience of the architecture of the
9 history of Coral Gables, which we feel so
10 strongly about.

11 MR. RIEL: The Board of Architects? Do
12 you want to go to the Board of Architects.

13 MR. MINDREAU: The -- how so?

14 MR. RIEL: Well, we took this report to
15 the Board of Architects, about two weeks
16 ago. They're going to finalize that and
17 put their recommendation in letter form,
18 and that will be provided to the
19 Commission.

20 Generally, if I were to summarize, I
21 would say they were in support of allowing
22 metal roofs City-wide, with some provisions
23 in terms of more information that they get
24 in terms of the application. They wanted
25 to see photographs of the surrounding

1 residences, not necessarily right next
2 door, but the entire street. They wanted
3 additional time to look at it, two weeks
4 for the review. They wanted an opportunity
5 to basically go out and look at each of the
6 parcels and then make a recommendation
7 whether or not a metal roof should be
8 permitted on that residence, based upon the
9 architecture and context and compatibility.

10 And I will tell you, that may result
11 in -- if, you know, the City Commission
12 does it City-wide, that certain metal roofs
13 will not be permitted. They're going to
14 like I said, finalize the recommendation.
15 We're going to show them a video, which I'm
16 going to show you at the end --

17 MR. MINDREAU: The basic reason that it
18 was tabled at the Board of Architects,
19 essentially, was that they had not seen the
20 video. We knew the video was coming and
21 the Board felt that it was important to see
22 the video showing the result of the 90-day
23 period, before they really finalized their
24 decision.

25 MR. RIEL: Okay. Thanks, Carlos.

1 Let me just go through, briefly, the
2 metal roof progress report before I go to
3 the PowerPoint. Twenty-four roofs were --
4 applications were submitted. Five of
5 those -- if you look on the map here, you
6 see the areas in green. The areas in green
7 are annexed areas. They were allowed to
8 have metal roofs pursuant to the annexation
9 agreements when they were annexed in the
10 City, so that discounted five of them right
11 there. Sixteen were approved during the
12 90-day period, two were denied, and one was
13 deferred. So, in that 90-day period,
14 basically 24 -- or 23 went through the
15 process.

16 Let me go ahead and go to the
17 PowerPoint.

18 Javier, can you turn the lights down?

19 This is the same report, and we do
20 have -- I guess they're gone now. We do
21 have copies of the -- Basically, the
22 information we provided here is the
23 application number, the address, the
24 application submittal date, if it was
25 required to go to the Historic Preservation

1 Board, the architectural style, the year it
2 was built, the previous roof, and then the
3 color that was selected, and then the roof
4 pitch, and then those that were obviously
5 completed, we have photographs here, and
6 I'll just go kind of fast through this,
7 because these photographs are kind of
8 difficult to see. We have larger ones, at
9 the end.

10 And these numbers they reference, they
11 reference a location on the map. 6820
12 Portillo, this is in the Riviera section,
13 Part 12, and again, I have -- we have a
14 video of this that shows the entire
15 streetscape.

16 8000 Old Cutler Road. 1155 San Pedro,
17 this is in Coral Bay. 5781 Southwest 116th
18 Street, Pine Bay Estates. This one, I
19 believe, is in one of the annexation areas.
20 11085 Marin Street, Hammock Oaks. 5485
21 Hammock Drive. 483 -- this is in Hammock
22 Oaks Harbor. 5505 Arbor Lane, this is in
23 Snapper Creek. 201 Solano Prado. 5860
24 Southwest 118th Street, Pine Bay Estates.
25 6830 -- which is in the Riviera Section,

1 Part 13. 10945 Lakeside Drive, Snapper
2 Creek Lakes. This is shown in red, because
3 this was one that was denied.

4 500 Old Cutler Bay, this again is
5 another one that was denied a metal roof.
6 6950 Sunrise Drive. 520 -- in Biscayne
7 Bay. 521, again in Biscayne Bay. And
8 that's it.

9 Let me just go ahead and read the Staff
10 recommendation. Again, if the Board
11 direction to the Commission is to proceed
12 forward with allowing metal roofs, the
13 Staff is recommending that it only be
14 allowed in the southern portions of the
15 City.

16 So, at this time, if we'd just have the
17 video. We have the same video of all these
18 properties. It's about a six to
19 seven-minute video. The video is actually
20 on the web as of this evening.

21 Unfortunately, the only way you can get
22 it is if you have QuickTime on your
23 computer, but it is on the web, and we do
24 have copies of the video, if you'd like to
25 take a copy with you. Hopefully we'll win

1 an Emmy with it or something like that.

2 So if you could roll the video.

3 We thought we would wake you up a
4 little bit.

5 (Thereupon, the video was played.)

6 MR. RIEL: They did a very good job, in
7 terms of editing and photographing. We
8 don't have the resources nor the talent to
9 do something like that.

10 And also, we did receive this evening a
11 petition that was in support, which is
12 signed by seven people, indicating, "The
13 undersigned residents of Coral Gables wish
14 to inform the Planning & Zoning Board,
15 Board of Architects, City Commission, a
16 support for an ordinance amending the
17 Zoning Code for metal roofs on
18 single-family homes, which was previously
19 an area south of U.S. 1. We would like it
20 in areas north of U.S. 1. Such a pilot
21 program would include appropriate review by
22 the Board of Architects."

23 So I want to enter that into the
24 record.

25 CHAIRMAN KORGE: Thank you. I see

1 Commissioner Anderson has joined us.

2 Did you want to get up and say a few
3 words? No?

4 COMMISSIONER ANDERSON: I'm scheduled
5 to speak, so --

6 CHAIRMAN KORGE: Oh, you are?

7 COMMISSIONER ANDERSON: Yes, so go
8 ahead and do the persons that are ahead of
9 me. I'll wait. Thank you.

10 MR. RIEL: That concludes Staff's
11 presentation. We do have nine people that
12 have signed up to speak.

13 MR. COE: Mr. Chairman, I have a
14 question of Mr. Riel.

15 Since we have City-wide copper roofs,
16 why is there Staff resistance to having
17 metal roofs City-wide?

18 MR. RIEL: I think Mr. Mindreau
19 articulated that much better than I did,
20 and it's indicated in the Staff Report, the
21 basis for Staff's findings. I think it's
22 an issue more of context and compatibility,
23 and we would feel the southern end of the
24 City, given that it's, you know, more newer
25 construction, our concern is, it perhaps

1 may -- you know, in terms of compatibility
2 with the historic fabric of the City.

3 CHAIRMAN KORGE: Copper would more
4 compatible than the other metals?

5 MR. RIEL: Well, copper has, as I
6 understand it, been in the Code for about
7 20 years, 23 years, so --

8 MS. MORENO: But I'm seeing every one
9 of these comments supports it on a
10 City-wide basis, every single one.

11 MR. RIEL: That's correct.

12 CHAIRMAN KORGE: Okay, well, shall we
13 open it for public discussion at this time?

14 MR. RIEL: Whatever the Board would
15 like.

16 MR. BEHAR: Yeah.

17 CHAIRMAN KORGE: Yeah, let's do that.
18 Do you want to call the first name, please?

19 MS. MENENDEZ: Mary Anderson?

20 CHAIRMAN KORGE: We remind everybody
21 that we have a three-minute time limit for
22 each speaker, and we try to adhere to it,
23 as best we can.

24 Please state your name and address for
25 the record.

1 MS. ANDERSON: Good evening. My name
2 is Mary Anderson. I live at 1526 Trevino
3 Avenue. I've been involved with this
4 process, I think, since the beginning. I
5 maybe missed one meeting. So I'm happy to
6 meet you all this evening and see what you
7 think about us homeowners having the same
8 rights as the homeowners in the South
9 Gables to have a metal roof for our home.

10 I particularly became concerned after
11 Wilma and Katrina with the number of new
12 tile roofs that had been installed that did
13 not perform well during the hurricane. I
14 felt that very concerning, as a homeowner.
15 It's such an important component and such
16 an expensive component, and with insurance
17 coverage these days, with deductibles on
18 windstorm, if your roof is damaged, you
19 really weren't covered, and for a long time
20 we were with many people with tarps who
21 could not afford to replace their roofs.

22 I'm a native Miamian, and I really
23 think that clay tile roofs have always been
24 part of our architecture, but primarily
25 they were reserved for these Mediterranean

1 historical buildings. The majority of
2 homes in Miami were flat white tile roofs
3 or barrel tile roofs that were white, and
4 people began to use this clay tile roof
5 because they didn't want the maintenance
6 that a white tile roof needed, and I think
7 Miami is just such a mass of clay tile
8 roofs. My block, everyone has primarily,
9 with the exception of myself and maybe two
10 other people, the same color roof, the same
11 color paint on their home, the same
12 windows, the same front door.

13 I think -- I've also had the privilege
14 of working at Douglas Entrance, from 1978
15 to 1985, and during that time, it was
16 before any of the new office towers were
17 constructed. So I really have a great
18 fondness for Merrick and his architecture
19 and what he tried to do, and I think if we
20 would let these people -- us homeowners
21 that have ranch homes just keep the
22 integrity of the ranch and not try and
23 convert it to a Mediterranean style, we
24 would look more like a historical city and
25 less like a planned community.

1 So I first found a metal roof about 10
2 years ago, on Key Biscayne, and if I may
3 show you a photograph, I photographed the
4 roof and my home, and they're not very
5 dissimilar. The green properties and the
6 windstorm properties that the metal roofs
7 have, I think, outweigh some of the
8 controversy as far as, will they fit into
9 the context of the neighborhood. I think
10 we should be allowed to protect our homes
11 with the best materials available.

12 I guess my three minutes are up.

13 CHAIRMAN KORGE: Yes.

14 MS. ANDERSON: Thank you.

15 CHAIRMAN KORGE: Thank you very much.

16 MR. AIZENSTAT: Can I ask you a
17 question, please? How old is your roof
18 now?

19 MS. ANDERSON: I believe that my roof
20 is the original roof, 1947.

21 MR. AIZENSTAT: Are you looking to
22 change your roof?

23 MS. ANDERSON: I would like to change
24 my roof, yes, because my roof is -- My
25 insurance company doesn't like my roof from

1 1947, and it's starting to go on the
2 outside, and I'd like to renovate my whole
3 home, but I have an architect and I would
4 like to take into consideration windows,
5 roofs, doors, everything. I think Mike
6 Steffens was here at the last Commission
7 meeting, and he put it very eloquently: It
8 doesn't matter what material you use, as
9 long as you use it appropriately, because
10 if you use the inappropriate windows or the
11 inappropriate paint color or the
12 inappropriate door, you're not going to
13 have a successful project.

14 MR. AIZENSTAT: Thank you.

15 CHAIRMAN KORGE: Thank you very much.

16 MS. MENENDEZ: Manuel J. Menendez.

17 CHAIRMAN KORGE: Please state your name
18 and address for the record.

19 MR. MENENDEZ: My name is Manuel J.
20 Menendez: I live at 3305 Alhambra Circle.

21 All I want to say is that these metal
22 roofs, to me they look so bad, and they
23 will look so bad in the City. I don't
24 believe that it was the intent of the
25 founder of the City to have these kind of

1 roofs. It will look like a Central
2 American country, to me. That's all I have
3 to say. Thank you.

4 CHAIRMAN KORGE: Thank you.

5 MS. MENENDEZ: Sue Kawalerski?

6 MS. KAWALERSKI: Hi, I'm Sue
7 Kawalerski. I live at 6830 Gratian Street,
8 and mine is one of the houses that you saw
9 in the video. I have a metal roof. I live
10 east of U.S. 1, and I can tell you, I am
11 one happy customer, and I thank the City
12 for approving at least the pilot project,
13 to allow me a metal roof.

14 Last year at this time, I was in need
15 of a roof. I had a flat white cement tile
16 roof that had been damaged after hurricanes
17 and had leaks, and last year at this time I
18 faced having to replace it with what I
19 considered an inferior roof or fighting the
20 fight and coming to meetings and persuading
21 fellow neighbors to come to meetings to
22 allow metal roofs in the City of Coral
23 Gables, and I'm one of the lucky ones, and
24 here's my point of view on, you know, this
25 whole business of aesthetics and safety and

1 that sort of thing. You know, we can't
2 change time. We can't go back in time to
3 when they allowed nondescript housing like
4 mine in Coral Gables. Mine has no
5 historical value, no architectural
6 phenomenal sense to it whatsoever, and
7 actually, the metal roof on my house makes
8 absolute, perfect, aesthetic, logical
9 sense.

10 People in the north side, as well, have
11 some of these same nondescript ranches,
12 like mine on the south side, and my point
13 of view is, why try to bend architectural
14 styles to suit what was considered a
15 Mediterranean sense that George Merrick
16 brought about on houses that aren't at all
17 Mediterranean at all?

18 Very truthfully, if you looked at my
19 flat cement tile roof, compared to metal
20 roof, I mean, I have improved the value of
21 my house, both from an aesthetic point of
22 view and from a sales point of view. In
23 fact, Carlos -- you know, I saw him
24 videotaping my house, and Carlos and Eric
25 both said, you know, "Your house looks

1 phenomenal." They wouldn't have said that
2 a year ago, when I had my white flat cement
3 tile roof.

4 I've already gotten a rebate, by the
5 way, from FP & L, \$325. I'm getting lower
6 insurance rates from my insurance company
7 and I'm getting a tax incentive from the
8 Federal Government for going with a green
9 roof, essentially, an energy-efficient
10 roof. It just astounds me that this
11 shouldn't be a privilege of anyone in the
12 City of Coral Gables who wants one, put on
13 a home that aesthetically is more suitable
14 to a metal roof than a tile roof.

15 So I'm pleading for my northern
16 neighbors, as well as my southern neighbors
17 who also want the pilot project extended,
18 and I can tell you that, you know, the
19 sheer numbers of those involved in the
20 initial pilot project, 24 applications,
21 it's not like you're going to be flooded by
22 every single resident of Coral Gables
23 demanding metal roofs. I think people have
24 a sensibility in this community. Allow
25 them to exercise it.

1 Thanks.

2 CHAIRMAN KORGE: Thank you.

3 MS. MENENDEZ: Ray Airan.

4 MR. AIRAN: I would appreciate it if
5 some other speakers could go first.

6 MS. MENENDEZ: Charles Girtman.

7 MR. GIRTMAN: I said my hellos to Jack
8 Coe. We both got off the Code Enforcement
9 Board before we went nuts.

10 Watching Judge Judy, one of the first
11 things she asks the people that come in
12 front of her is, "What's your axe to
13 grind?" When people come up here and talk
14 to you about these metal roofs, I wish you
15 would ask them, "What financial incentives
16 do you have to speak? Are you getting a
17 rebate to put them on from the builder?
18 Are you a builder? Are you an architect?
19 Do you have a financial interest in the
20 metal roofs?"

21 There's two reasons to put these metal
22 roofs on, that I can see. One is cost.
23 The lady who just spoke, she showed some of
24 the positive factors of the cost. They're
25 cheaper to put on, to start with, which is

1 what I've been told by the -- no, no, the
2 steel roofs are cheaper than copper, but
3 the steel roofs are cheaper, and these
4 roofs, every one you've seen is a steel
5 roof. It's not aluminum; it's steel. And
6 you get a rebate from the Government and
7 you get a rebate from FP & L to put them up
8 there. So money is the big factor.

9 There's two of them in my neighborhood,
10 very close, one two blocks away. The two
11 in my neighborhood -- and I'm pretty active
12 in City government. I try to keep up with
13 it. I've served on several boards, I come
14 to meetings, come take my time out and do
15 this when I'd rather be out on my boat, et
16 cetera. I didn't know anything about it,
17 and then I saw this roof there. The way
18 you see it, the house sits on a slight
19 rise. It's the yellow one on Tibidabo.
20 The sun shines off of it. It looks like a
21 beacon there. The house is bright yellow,
22 with a silver roof and blue shutters. All
23 the rest of us have either flat tile or
24 Mediterranean tile, and we're all on
25 100-foot lots. In truth, the houses, most

1 of whom that you saw here, are tear-downs.
2 The one on Tibidabo is a tear-down. My
3 house is a tear-down. It's 2,200 feet.
4 It's over 50 years old. Every house that's
5 been sold recently, it's been torn down and
6 they've put 3,400 square feet there.

7 So I would say, on the big, beautiful
8 homes with the copper roofs, some of the
9 homes you saw here that sit back, they've
10 got great landscaping, that's fine. I
11 would ask that not to restrict every single
12 one of them, but to have every one of them
13 be architecturally so they fit in, that the
14 Board of Architects say, "Yes, this fits in
15 with the neighborhood," not, "Great, put it
16 there because you'll save a little money on
17 the thing."

18 I had a metal roof. It was on a barn
19 that we had in Coral Gables. We used to
20 call them tin roofs. You've all seen them
21 if you've been in the south very long. The
22 house was not originally in Coral Gables.
23 It's now a historical house. It was my
24 house because I lived there; it was my
25 grandfather's home. So I speak from a

1 position of having had one, but I also know
2 and I agree with one of the previous
3 speakers here, they just don't look right.
4 And I was told by someone in the government
5 here that I'm an elitist because I want
6 things to stay the way they are. Coral
7 Gables has two things going for it, great
8 weather and great zoning. The property
9 values here -- and this will be my last
10 three sentences. The property values here
11 are so much higher than anywhere else in
12 Dade County, given whether water or non-
13 water, you know, compare. If you go into
14 places that do not have the zoning codes,
15 that let you do whatever you want to do,
16 you don't see the property values
17 preserved.

18 I disagree with the lady who spoke
19 before me, who said that her house is worth
20 more with a metal roof than it was with a
21 new -- not her old leaking cement tile
22 roof, but with a new cement tile roof. I
23 believe that would have the higher value.
24 But that's my opinion. Thank you very much
25 for your time.

1 CHAIRMAN KORGE: Thank you.

2 MS. MENENDEZ: Robert Fine.

3 CHAIRMAN KORGE: Three minutes.

4 MR. FINE: I'd like to incorporate the
5 last two years into the record.

6 Very quickly, you know me. I've been
7 in front of you for the last couple of
8 years, regarding the metal roof issue.

9 I'm in the south part of the City, and
10 I think, in my opinion, the pilot project
11 has been very successful. A large portion
12 of the south already has metal roofs. They
13 can have them as a matter of right because
14 they're in the annexed area, if Ponce/Davis
15 comes in, even more so, and I really think
16 there's no good reason not to make it
17 permanent in the south.

18 In regard to the north, you know, the
19 reasons for people in the north who would
20 want metal roofs and why they should be
21 considered are really the same benefits
22 that I brought up with regards to the
23 south, the energy benefits, durability,
24 storm resistance, and while I agree with
25 the last speaker that economics does have

1 something to do with it, it's clearly not
2 the economics of putting the metal roof on,
3 because if you're in North Carolina, a
4 metal roof might be cheaper, but a metal
5 roof that meets the Florida Building Code's
6 wind resistance requirements for the
7 high-velocity hurricane zone, it's at least
8 equal and in many cases more expensive than
9 doing a tile roof. So, when people are
10 putting it on, it's they don't want the
11 cost of buying a new roof after the
12 hurricane, not because the first cost is
13 any less expensive.

14 I think that the benefits of metal
15 roofs and other materials that are coming
16 out can be so beneficial that it wouldn't
17 be right to deny people the benefits unless
18 you could really show that there's some
19 harm or harm could be shown, and so the
20 question is, is there a way to look at this
21 in the north part of the City without --
22 and find out, is it something that would
23 work there without creating harm?

24 And there will be speakers after me,
25 Tom Mooney and Luis Revuelta, who will be

1 talking to you about their proposal for a
2 pilot project in the north, similar to that
3 in the south, but which includes a number
4 of additional protections so that if you
5 were to try it in the north, and let's say
6 fail, the homes would be isolated enough
7 and done in such a manner that it really
8 wouldn't adversely affect the fabric of the
9 north end, and with all those benefits
10 there, why not try and find out?

11 I mean, if you think about what's going
12 on, it's sort of a little weird. A few
13 minutes ago, you heard a speaker up here
14 saying we want to look at, you know,
15 historic consideration for ranch houses
16 with Spanish tile roofs on them, you know,
17 and now -- and you're saying we have a
18 product out here that's new. These ranch
19 houses, there's a lot more architectural
20 integrity in those houses with metal roofs.
21 They don't fit on every house, and when
22 they fit on a house, they don't fit on
23 every neighborhood, but that's why we have
24 the Board of Architects, that's why we have
25 a City Architect, to review those things,

1 and I do think it's worth considering a
2 pilot project for the north.

3 Thank you.

4 CHAIRMAN KORGE: Thank you.

5 MS. MENENDEZ: Ted Rickel.

6 MR. RICKEL: My name is Ted Rickel. I
7 live at 1530 Baracoa Avenue, in the Gables.

8 Two points. I never signed the
9 petition to add metal roofs to the south
10 area -- I mean, to the north area, so I'd
11 like to be included, if I could, and the
12 second thing is, I was looking at the
13 design of the metal roofs that you have.
14 Can you please think about incorporating
15 different styles, as opposed to straight
16 lines? And if there is some technology
17 that's out there that shows where metal
18 roofs can be designed that look like tile,
19 either the straight tile or Mediterranean
20 tile, that would be something you might
21 want to consider.

22 Thank you, gentlemen and lady.

23 CHAIRMAN KORGE: Thank you.

24 MS. MENENDEZ-DURAN: Luis Revuelta.

25 MR. REVUELTA: Good evening. My name

1 is Luis Revuelta. I'm an architect. I
2 have lived in the Gables for 26 years. I
3 live in 1417 Santa Cruz Avenue, plan to
4 move to 1045 Castile, and I certainly hope
5 I can have, some day, a metal roof on my
6 house.

7 I don't believe that roofs make the
8 City of Coral Gables. I think that what
9 makes the City of Coral Gables are the
10 1920s and the '30s styles that we find
11 around the Gables, the landscaping, which
12 most of the time covers a lot of the roofs,
13 the sidewalks, mainly in the North Gables,
14 the narrowness of the streets, the
15 services, and basically, the historical
16 sites that we have in Coral Gables. It's
17 not what type of a roof we have.

18 Merrick saw the value of having
19 different styles in Coral Gables. There
20 was nothing wrong with that. The City
21 itself allows a cement barrel tile roof,
22 that in my opinion as an architect, it
23 makes absolutely no architectural honest
24 sense. If we're going to allow barrel
25 barrel tile roofs, they should be clay tile

1 roofs. They should not be cement tile
2 roofs. A flat cement tile roof makes
3 sense. A barrel tile roof, if we're going
4 to be consistent in making the argument
5 that the metal roof is a foreign element to
6 the Gables or South Florida, which we have
7 a disagreement on, it's more honest than a
8 cement barrel tile roof.

9 I think standing metal roofs are not
10 only more reflective of the historical
11 character of South Florida, but they're
12 safer, they're more energy-efficient, and
13 they're architecturally pleasing. I think
14 if there's one style that really reflects
15 the area, it's that style of architecture
16 that comes with the metal roofs. The
17 architects under Merrick, what they were
18 doing at the time, in the 1920s, is
19 basically copying what they saw in Europe
20 and trying to re-interpret it here, which
21 you could have, at that point in time, made
22 an architectural argument that that was not
23 being honest.

24 Copper roofs are allowed, but copper
25 roofs turn darker, and I don't agree with

1 the fact that they're more compatible,
2 they're more energy-efficient. They turn
3 darker. They absorb the heat. Copper is a
4 great conductor of heat, and it's more
5 expensive. I think inherently in the fact
6 that for those reason, we don't find too
7 many copper roofs in the City.

8 As you know -- may or may not be aware,
9 we have a respectful difference of opinion
10 with Staff and some of the Commissioners
11 about this issue. We wholeheartedly agree
12 that this should be implemented on the
13 south. We believe that it's not fair not
14 to allow the north the same period of time
15 that the south was allowed to make an
16 intelligent architectural and political
17 decision, and fair. Give the north 30 or
18 60 days, and at that point, then let's deem
19 if it's accurate that this style of
20 architecture and this material is going to
21 affect the North Gables.

22 At the end of the day, if you're
23 correct, there's absolutely nothing wrong
24 with allowing 30 or 20 days. If we're
25 incorrect, there's nothing to lose. 30 or

1 60 days will prove that we're incorrect,
2 there's no harm done, and there's very few
3 of us that are in that.

4 I would like to just basically close
5 with this, that we believe it's not correct
6 not to allow the north the same test
7 period, or less, than the south was
8 allowed, and architecturally, I think it
9 would be the correct thing. We would not
10 be arguing for something or proposing
11 something that is going to affect our own
12 property values. I've lived in the Gables
13 for 26 years.

14 So I appreciate the ability to speak to
15 you all, and I would like to commend Thomas
16 Mooney and Robert Fine for the good job
17 that they've done in crafting what I think
18 is a very tight set of regulations that
19 would make Staff and the different boards
20 that are going to regulate this -- their
21 life a lot easier.

22 CHAIRMAN KORGE: Thank you.

23 MR. REVUELTA: Thank you.

24 MS. MENENDEZ: Thomas Mooney.

25 MR. AIZENSTAT: Before Mr. Mooney

1 speaks, I would like to state that I did
2 receive an e-mail from Mr. Mooney on --

3 MR. COE: Oh, we all did.

4 MR. AIZENSTAT: Okay. I just wanted to
5 make that clear, on March 10th.

6 MR. MOONEY: Good evening,
7 Mr. Chairman, Members of the Planning
8 Board. For the record, Thomas Mooney. I
9 reside at 601 Navarre Avenue, and my
10 comments tonight are as a resident, as a
11 homeowner, and also as a professional urban
12 planner.

13 The ordinance that is before you, that
14 has been drafted by Staff, is something
15 that I support and I think everybody that
16 has been speaking up here is in full
17 support of, particularly with regard to
18 making the metal roof regulations permanent
19 south of U.S. 1.

20 The e-mail that I sent you a couple of
21 days ago is basically that same ordinance,
22 but I added an applicability section that
23 basically copied the pilot program that the
24 City Commission approved last July, but I
25 added a few more safeguards, and since you

1 have a copy of it, I won't, unless you want
2 me to, read all of them into the record,
3 but basically, what they do is, they make
4 that pilot program a little bit more
5 narrow, they include a few more safeguards,
6 and they also incorporate some of the
7 comments that were expressed by the City's
8 Board of Architects.

9 The whole concept of metal roofs has
10 been going on for almost two years now, and
11 it's something that I've been involved
12 with, and we've had some very good
13 discussions with Eric and his Staff, and
14 also I did a walking tour with Carlos, and
15 I do have the utmost respect for the City
16 Staff and the work that they've done and
17 the reports that they put together and the
18 videos they put together. However, as I
19 indicated to Carlos when we did our walking
20 tour, I do disagree with their assessment
21 of whether or not a pilot program or metal
22 roofs should be incorporated into the areas
23 in North Gables. And a couple of things
24 I'd like to point out with regard to the
25 north, specifically. I don't believe that

1 there exists a clear and unambiguous line
2 at U.S. 1. I think that once you go north
3 of 1, the context is very, very similar to
4 the area south of U.S. 1. If you're going
5 to start to gerrymander the City, that line
6 probably would be much further north, if at
7 all, and I don't think that you can
8 actually determine that line or the
9 gerrymander boundary lines until you've
10 actually had a much larger study area by
11 virtue of extending a pilot program to the
12 north, and I think once you've done that,
13 even if it's a shorter pilot program than
14 what we've suggested, I think at that point
15 you make a much more informed decision as
16 to whether or not there even should be a
17 boundary line.

18 I do think that the prevalent styles of
19 architecture north of U.S. 1 are clearly
20 not Mediterranean Revival. I think that
21 the City's studies -- City's own studies
22 show that only a small percentage of the
23 homes City-wide were constructed prior to
24 1940, but moreover, you really don't see a
25 prevalence of Med Rev -- true Med Rev

1 architecture until you really get north of
2 Coral Way.

3 So I think that in terms of the
4 diversity of architecture, that diversity
5 of architecture does go well north of U.S.
6 1.

7 With regard to the size of the lots in
8 the north area, I think that in the south
9 area, as you go further south and you have
10 the larger lots -- and you saw a lot of
11 these in the video that was put up on the
12 TV screen -- the bigger the lot, the larger
13 setbacks, particularly from the front, the
14 more of the roof that you actually see. In
15 a lot of the homes where the metal roofs
16 were approved, and I think they're very
17 attractive and they fit very well with the
18 context, ironically, they are more visible.

19 When you walk around the north, and I'm
20 telling you this as a resident of the north
21 who's walked almost all those blocks, when
22 you're on the same side of the street,
23 because the homes are much closer to the
24 sidewalk, you really don't even notice the
25 roofs, particularly when they have a lower

1 pitch, and if you have a standing seam
2 metal on the types of homes that would
3 allow it, subject to Board of Architects
4 approval, in this ordinance, it's not
5 something that's going to be jarring. It's
6 not something, I think, that's going to the
7 fabric or context of the area. I think
8 that you're going to look at it as nothing
9 different than a white flat tile.

10 With regard to the historic context and
11 the designation of historic districts, I
12 think that allowing metal roofs, certainly
13 as part of a pilot program, but perhaps as
14 a much broader City-wide ordinance, would
15 actually increase the chances for
16 designation of those areas and make
17 residents feel more comfortable about
18 designation.

19 My own home was built in 1960, and it's
20 something that I would like to consider for
21 designation. It's clearly a modern home,
22 but if the City is moving toward embracing
23 the more modern homes because of their
24 impact on the scale and context due to
25 their size, I think that a metal roof would

1 go a long way in distinguishing it from the
2 architectural styles that have been
3 designated now, the historic Med Revival
4 homes and the early post-war homes -- the
5 early pre-war homes.

6 In closing, as I said before, I don't
7 think that it's going to -- the
8 introduction of metal roofs in the north
9 area is going to be detrimental to the
10 scale, character or context of the built
11 environment. I think that a limited pilot
12 program would clearly show that. And as
13 this Board is well aware, this item or this
14 matter has been before both this Board, the
15 Historic Preservation Board in the past,
16 the Board of Architects, as well as the
17 Metal Roof Advisory Committee, and at each
18 step of the way, there's been overwhelming
19 support for a City-wide ordinance, which I
20 believe equates to good public policy.

21 So, in closing, I would ask that the
22 Board transmit a favorable recommendation
23 of the ordinance that has been drafted by
24 Staff, but with the applicability section
25 that I had drafted and had included to all

1 the Board members. I had talked to the
2 City Attorney about that, and she said that
3 adding that applicability section would not
4 cause it to have to come back to this Board
5 for a re-advertisement, that it is
6 something that you could add as a minor
7 text amendment, if you so choose to
8 transmit it to the Commission.

9 I thank you for your time and
10 consideration. If you have any questions,
11 I'd be glad to answer them.

12 CHAIRMAN KORGE: Thank you very much.

13 MR. AIZENSTAT: Could I ask you a
14 question? I was going to ask you what part
15 of town you live in. You said you live in
16 the North Gables.

17 MR. MOONEY: Yes.

18 MR. AIZENSTAT: Are you looking to redo
19 your roof?

20 MR. MOONEY: Yes.

21 MR. AIZENSTAT: Thank you.

22 MS. MENENDEZ: Maria Anderson.

23 COMMISSIONER ANDERSON: Thank you.

24 For the record, Maria Anderson, 535
25 Almeria Avenue. It's a pleasure to be here

1 tonight, and I'd actually say I'm a little
2 nervous on the other side, sitting here.

3 I think I've been here a handful of
4 times throughout the seven years I've been
5 in office, but I felt very strongly to come
6 here tonight, and I actually got clearance
7 from the City Attorney, that I could speak,
8 because it is a legislative matter.

9 I disagree really strongly with Staff,
10 and I'd like to tell you why, and I think
11 it's reflected on the record on two issues,
12 fairness and facts. I think it's -- if you
13 give one pilot program to the south, I
14 think it's only fair that you offer it to
15 the north, with controls and with certain
16 limitations, like we did to the south.

17 I think the facts don't bear out that
18 we're a truly Mediterranean city. I think
19 we had a housing census that was provided
20 by the City. I asked for it. 87 percent
21 of the homes were built from 1940 and on,
22 87 percent. That's not Mediterranean.

23 I know Mr. Merrick had great dreams.
24 He had -- and he unfortunately didn't live
25 to see them and the economic times changed

1 after he left and it didn't follow what he
2 wanted, and in the 1940s, other styles took
3 over, and here we are. And so one thing he
4 did value -- and I never attempt to get
5 into Mr. Merrick's head, because many
6 people have, but in the writings that he
7 talks about it, he talks about
8 architectural harmony, and if a material,
9 whether it be a metal roof, whether it be a
10 barrel tile, whether it be a flat tile, is
11 harmonious with the street, say the street,
12 then why not? I think it's really
13 important not only to look at the house
14 straight on, but I think you need to look,
15 and if you drive by the houses -- sometimes
16 I asked -- when I went on the walking tour
17 with Carlos, I asked him to step into the
18 middle of the street in the North Gables,
19 and you see a lot of trees, you see a lot
20 of houses. There may be areas in the south
21 that don't have the tree canopy, but that's
22 a different thing. But a lot of it is
23 about the street and the context.

24 I firmly believe that without a pilot
25 program in the north -- it's just for those

1 two reasons, fairness and facts, and I'm
2 probably in the minority, and that's okay,
3 and I leave that to you all in your great
4 wisdom. I know you ruled in favor of it
5 before, as many other parties, or many
6 other boards.

7 Thank you for your consideration.

8 CHAIRMAN KORGE: Thank you.

9 COMMISSIONER ANDERSON: By the way, I
10 live in a nondescript 1950s home, and if
11 you drive in my area, Almeria, those two
12 blocks south, there's nothing historic
13 about it, nothing, and in fact, let me just
14 add, for years, a non-architect, a building
15 official, decided what barrel tile was put
16 on the houses, and if you go by my street,
17 ranch/burgher homes are -- you have homes
18 with orange barrel tile, that all you see
19 are the orange barrel tiles, and I'd rather
20 see something more discreet on these homes,
21 whether it be a flat cement tile or a metal
22 roof -- not a tin roof, a metal roof.

23 Thank you.

24 MR. AIZENSTAT: Commissioner?

25 COMMISSIONER ANDERSON: Yes.

1 MR. AIZENSTAT: If I may ask you the
2 same question, what's the condition of your
3 roof that you have on your house?

4 COMMISSIONER ANDERSON: I have no
5 intention of removing my roof. I have a
6 relatively new roof, just recently cleaned,
7 so I'm up to Code, and I just feel very
8 strongly, as a trained architect, not a
9 practicing one, a trained architect with a
10 real keen eye for certain things, that
11 metal roofs are not an abomination, and I
12 think we begin -- I think change is hard
13 for many people and I think it's just by
14 trying pilot programs and by trying to
15 educate people that we may allay some
16 concerns and fears, but yesterday at the
17 Commission meeting we had a beautiful
18 modern building come before us. Thank God,
19 hallelujah, it didn't look like an orange
20 creamsicle, and I'm really proud of the
21 fact that we approved it, and it's
22 beautiful and it's going to add to the
23 beautiful area in the Ponce area near the
24 Village of Merrick Park.

25 We have to begin to explore diversity

1 and architectural harmony with whatever
2 materials they are, in the proper context.

3 CHAIRMAN KORGE: Thank you.

4 MR. AIZENSTAT: Thank you.

5 MS. MENENDEZ: Ray Airan.

6 MR. AIRAN: Good evening, everybody.

7 My name is Ray Airan, and I live at 1252
8 Obispo Avenue. Originally, this house was
9 built in '27 and finished in -- '27,
10 because it was started in '22 and Mr.
11 Merrick went bankrupt in between, before he
12 finished the house.

13 At this time, if anybody were to ask me
14 what is the contributing factor in terms of
15 historic value on that house, it's the
16 leaky roof, and the year when it was
17 finished originally. I have gone through
18 the history of this house, after finding
19 out that I am in Code violations, that the
20 house had some kind of conditions and
21 remodeling and continuous work on an
22 average of every 15 years, including what I
23 have done.

24 Right now, anybody who stops by my
25 house and wants to know what style is that,

1 I say I don't know. But it looks good, it
2 looks unique, and any property around me,
3 none of them or myself has any designation
4 of a historic value.

5 I'm living with a leaky roof for about
6 30 years. I have replaced the roof for
7 about five times, and every time the
8 maximum warranty on the roof, from the
9 roofer, is 15 years that I could get,
10 anywhere between 10 to 15 years.

11 I refinanced my house about four times.
12 Now, you can imagine how much trouble or
13 what do you call it, a nightmare it is, for
14 me to replace the roof again. Three
15 fourths of the roof is flat, with parapet
16 walls. I have gone through three
17 architects, two structural engineers and
18 three contractors, and none of them have
19 been able to give me a roof which would
20 last for 15 years, not to even 10 years.

21 I need a metal roof. I have studied
22 the benefits of it. I attended a seminar
23 put out by Professor Jack Parker from FIU,
24 courtesy of Commissioner Anderson, you
25 know, arranged for it, and I understand the

1 benefits of it from an energy conservation
2 point of view, from a safety point of view,
3 and all of that. I wish that I would like
4 to add my name to the petition, also. I
5 need to replace the roof. I would like to
6 replace the roof with a metal roof, and
7 please consider offering us the same
8 benefits and consideration like you have
9 for the southern part of U.S. 1.

10 CHAIRMAN KORGE: Thank you very much.

11 MR. AIRAN: Thank you.

12 CHAIRMAN KORGE: Anybody else to speak?

13 MS. MENENDEZ: No.

14 CHAIRMAN KORGE: No? Well, then, we'll
15 close the public hearing portion of the
16 meeting, and is there a motion for -- or
17 any discussion on the recommendation by the
18 Planning Department?

19 MR. AIZENSTAT: Eric, could I ask you,
20 when you go through the process for
21 somebody that wants to get a metal roof
22 today, in the pilot program, what are the
23 levels of check marks and so forth that
24 they have to go through?

25 MR. RIEL: Okay. If you refer to

1 Attachment A, which is the ordinance --

2 MR. AIZENSTAT: Correct.

3 MR. RIEL: If you go to Page 4, those
4 are basically the development standards
5 that is undergone, the extensive review and
6 input through this process.

7 Basically, the way this reads, this
8 provision mirrors what's in the south end
9 only. Article 5, Division 6, which is the
10 zoning -- in the Zoning Code, has very
11 specific design review standards that deal
12 with context and compatibility. It's
13 approximately three pages of regulations
14 that deal with that issue in general, that
15 all projects, single-family homes,
16 commercial developments, need to adhere to,
17 and then the regulations you see, one
18 through 10, deals specifically with metal
19 roofs, where it gets into allowable
20 architectural style. If it's historically
21 significant, it's prohibited from having a
22 metal roof. If it is in a district, it has
23 to go to the Historic Preservation Board.
24 You saw the color board. Metal roofs can't
25 be painted. It has to be a certain

1 standing seam metal gauge. It can't
2 replicate. It has to be installed per the
3 manufacturer guidelines. The pitch and
4 insulation is required, and then there
5 is -- which is standard on any provision,
6 an appeal process. And then there's a
7 definition of standing seam metal roof.

8 MR. AIZENSTAT: And presently, the
9 process has to go through the full Board of
10 Architects, meaning it doesn't convene with
11 two or three Board of Architects members,
12 but the entire Board.

13 MR. RIEL: The full Board. Full Board,
14 yes.

15 MR. AIZENSTAT: And if I remember
16 correctly, in the discussion that we had,
17 we stated that we relied upon the Board of
18 Architects to actually make that decision;
19 they were qualified individuals that we
20 felt were qualified to actually look at
21 that.

22 MR. RIEL: Yes.

23 MR. AIZENSTAT: And if you did a pilot
24 program for the north end, would you
25 consider doing it for the same amount of

1 time?

2 MR. RIEL: I think it's a decision we
3 look for, for a recommendation from this
4 Board and obviously the Commission, whether
5 or not it's a time frame or if it's
6 permanent. I mean, I think Staff has
7 presented our position in terms of where we
8 think it should be in terms of a geographic
9 area, but in terms of the time, you know,
10 limitation, I think that's a policy
11 direction issue.

12 MS. MORENO: I'm ready to move. I'd
13 like to move to adopt it in the south
14 permanently and to have a pilot program in
15 the north. I agree with Commissioner
16 Anderson. How can you not allow the north
17 to at least have a shot at it? It's a
18 question of fairness, especially when
19 you're talking about being environmentally
20 responsible and also addressing our severe
21 hurricane issues. The fact that we're
22 afraid that it may not be compatible should
23 not -- should not prevent us from trying it
24 and having a little faith in the Board of
25 Architects to make sure that it's approved

1 where it's appropriate.

2 MR. BEHAR: I'm going to second that
3 motion, Cristina, and furthermore, I --
4 since the beginning, I've been --

5 CHAIRMAN KORGE: Well, excuse me for
6 interrupting, but before we accept the
7 motion, the second part of your motion, not
8 that it's unacceptable, but it's kind of
9 vague. I mean, I don't think we have
10 before us the criteria for a temporary
11 program --

12 MS. MORENO: The same as it was in the
13 south.

14 CHAIRMAN KORGE: The same as it was in
15 the south?

16 MS. MORENO: The same --

17 MR. RIEL: Ninety days?

18 MS. MORENO: The same period, the same
19 requirements, exactly the same as what was
20 offered to the south, now offered to the
21 north.

22 CHAIRMAN KORGE: Just to be clear about
23 this, it would be the same time period
24 under -- I'm assuming under the same
25 criteria that would be approved for the

1 south.

2 MS. MORENO: Exactly the same.

3 CHAIRMAN KORGE: That would be approved
4 under this ordinance for the south.

5 MS. MORENO: Right.

6 CHAIRMAN KORGE: Okay. That's clear
7 enough for me.

8 MR. AIZENSTAT: Now, just --

9 CHAIRMAN KORGE: We have a second. I'm
10 sorry, I interrupted your second. I just
11 wanted to get that clear.

12 MR. BEHAR: But I just want to further
13 reinstate that since the very beginning,
14 I've always been a proponent to it, and I
15 believe, as an architect, that -- I find
16 out today that 87 percent of the homes in
17 the City were intended to have a flat,
18 low-profile roof on it. At some point in
19 the '60s, '70s, the trend started to start
20 incorporating barrel tiles, which is not
21 compatible, in my opinion, with those style
22 homes.

23 I do believe that -- and I see this
24 picture that you denied and I see the one
25 that Staff denied. To me, this house

1 should have never received a barrel tile
2 roof. It is more appropriate, a
3 low-profile metal roof that is more
4 consistent with the architecture.

5 The City-wide, since the beginning, I
6 always was in mind --

7 MS. MORENO: Yeah, I'm in favor of
8 City-wide.

9 MR. BEHAR: It has to be City-wide.
10 Therefore, I will second your motion.

11 CHAIRMAN KORGE: Any discussion on the
12 motion?

13 MR. AIZENSTAT: Your motion is, though,
14 to make it permanent.

15 MS. MORENO: Permanent in the south.

16 MR. AIZENSTAT: For the south?

17 MS. MORENO: Right.

18 MR. AIZENSTAT: That has not been
19 brought before us, to make it permanent.

20 CHAIRMAN KORGE: Yes.

21 MS. MORENO: Yes.

22 MR. SALMAN: That's what's before us.

23 MR. BEHAR: That's what's before us.

24 CHAIRMAN KORGE: Yes, that is before
25 us.

1 MS. MORENO: That is the request before
2 us.

3 MR. AIZENSTAT: I didn't understand it
4 that way.

5 MS. MORENO: Yeah. What's before us
6 was to make it permanent just in the south
7 and exclude the north, and what I have
8 amended it is to say, make it permanent in
9 the south and extend the pilot program on
10 the same terms as provided to the south, to
11 the north.

12 MR. AIZENSTAT: You would not rather
13 have a pilot program in the north and then
14 bring it all together?

15 CHAIRMAN KORGE: Well, that's what
16 she's saying. Oh, I'm sorry.

17 MR. COE: That's not what she's saying.

18 MS. MORENO: No.

19 MR. AIZENSTAT: No, and then bring it
20 all together --

21 MR. BEHAR: No.

22 MS. MORENO: No. I'd like to allow the
23 people in the south the opportunity. Their
24 period has ended. I'd like to give them
25 the opportunity to start putting on roofs

1 ahead of hurricane season. It's a -- We
2 had a period here after Hurricane Katrina
3 where we had a significant number of homes
4 with blue tarps for almost a year. We need
5 to address our hurricane issues, and we
6 cannot be distrustful of our architectural
7 review board in allowing people to do so.

8 CHAIRMAN KORGE: Any more discussion?

9 MR. COE: Yeah, I agree, and I voted --
10 three or four times, we voted in the past
11 on this -- that if we're going to do this,
12 it should be done City-wide. I could not
13 understand the arbitrary distinction at
14 U.S. 1.

15 Obviously, from a safety/hurricane
16 point of view, the so-called metal roof is
17 preferable to a barrel tile roof. They
18 don't blow away in a hurricane. You don't
19 have these roof particles coming at you.

20 On the other hand, while I was prepared
21 to do this, this evening, to vote again to
22 continue this project City-wide, I did,
23 earlier today, drive down and looked at
24 some of these properties in the South
25 Gables, and I'm now a little bit concerned.

1 I don't mind it as a pilot project in the
2 North Gables, but I would be, right now, a
3 little bit concerned about making that a
4 permanent part of a City ordinance. I'm
5 not so sure, where you have numerous
6 one-lot properties, how well the metal roof
7 will look, aesthetically. That's my only
8 concern about that, and I would like to see
9 that simply as a pilot project, and maybe
10 I'm wrong.

11 Someone had said that there should be
12 more diversity of the texture and the shape
13 and the form and the color of the roofs.
14 If you go down and look at what's been
15 built, they're not diverse, and frankly,
16 they're ugly, and I don't know what impact,
17 if any, it has on property values. I would
18 be a bit concerned if we precipitously
19 voted to extend this to the North Gables,
20 other than a pilot project, and I'm still a
21 little bit concerned about having it
22 permanently in the South Gables. I think
23 we need to take a further look at that and
24 have a pilot project on the north, maybe
25 extend the pilot project in the south, but

1 I think we should be very careful before we
2 start adopting permanent ordinances on
3 these things.

4 MR. AIZENSTAT: I would be in agreement
5 to extending the south and doing it in the
6 north and see how it goes, because for me,
7 I would like to do it -- take a look at the
8 program as a whole and not just divide it.
9 If we're here discussing and saying it's
10 not fair to the north, what's being done to
11 the south, why are we dividing it out and
12 making this permanent and this, you know,
13 for a trial period?

14 CHAIRMAN KORGE: Well, for the reason
15 that Jack just said, because he thinks that
16 it might -- architecturally -- excuse me.
17 He says architecturally, it may not go as
18 well in the north. That was --

19 MR. AIZENSTAT: Which I agree, but
20 that's why I'm saying, let's extend the
21 south, the pilot program, so if somebody
22 still wants to go and do their roof, they
23 can, and then at the time when it all comes
24 together, whether the Commission would look
25 at it or we'd look at it, let's --

1 CHAIRMAN KORGE: Well, do you think --
2 You're not satisfied that the south should
3 have a permanent program, because it may
4 not be architecturally sound?

5 MR. AIZENSTAT: I don't know if that's
6 the reason or I'd rather look at it as a
7 whole and not split it off and looking at
8 it as two sides.

9 MS. MORENO: Well, I think the reason
10 we initially split it or that -- I think
11 our Board recommended it City-wide, but I
12 think the reason for the initial split was
13 the understanding that in the south, there
14 are very few Old Spanish homes, which are
15 the ones that gave you problems with the
16 architectural aesthetics.

17 MR. SALMAN: Also, the insurance
18 companies make that definition of U.S. 1,
19 and this is an insurance issue with regards
20 to survivability of the roof in those
21 high-wind areas.

22 My concern is that a barrel tile roof
23 will last you about 15 years, maximum, that
24 I've seen. A metal roof typically lasts 30
25 or 40 years, all right? We talked about

1 people in the '70s and '80s and even now,
2 you know, arbitrarily putting Spanish tile
3 roofs on, you know, semi-ranch-style modern
4 buildings. It used to all be flat white
5 concrete tile, which was -- which is also,
6 by the way, very wind-resistant -- I mean,
7 very few of those failed during Katrina --
8 and what became a short-term sort of fad
9 issue, because in 15 years, most of those
10 roofs are going to be replaced, some of
11 them are going to go back to white tile,
12 some of them are going to be colored flat
13 tile, because those are allowed, and some
14 of them may end up being metal, which is
15 what we're talking about today.

16 My concern is that what is now a
17 fashion idea, because everyone sort of
18 wants a Key West style house with a metal
19 roof and whatnot, is something that we're
20 all going to end up living with in
21 inappropriate situations, but that's why we
22 have a Board of Architects --

23 MS. MORENO: Uh-huh.

24 MR. SALMAN: -- and that's why we trust
25 them, and that's why, given the extended

1 context of their review and the extended
2 level of review, I think it's totally
3 unfair not to give the north the
4 opportunity, in a pilot program, to go
5 ahead and start looking at it.

6 I'm thinking of the north end homes
7 that are small bungalow homes, especially
8 some of the historic ones, where they have
9 a preponderance of flat roofs. I have a
10 couple in my office right now, where it's
11 like, "Man, if I could do a metal roof, I'd
12 solve this problem from a pitch point of
13 view and get them out of the leak
14 business," because, I mean, a lot of these
15 have just parapet walls, flat roofs, with a
16 very low pitch, and the real technical
17 solution is a metal roof, and yet it's not
18 allowed, and so -- even though it's not
19 visible from the street.

20 MR. BEHAR: Copper is.

21 MR. SALMAN: Copper is, yeah, but
22 copper is copper, and we'll leave it at
23 that. A metal roof, by the way, ladies and
24 gentlemen, is twice the price of a regular
25 roof, and you get twice the value out of

1 it. The cost benefit of it is that you
2 don't have to change it as often. But it
3 is a permanent situation.

4 I'm in complete favor of the proposal
5 before us and the motion. However, my only
6 concern is, one, that we're going to
7 misapply it, and that's why we have the
8 Board of Architects, and the extended
9 review should limit us from having that as
10 a problem, and I don't see why we should
11 limit anyone in the City from installing
12 and making that investment, because it is
13 an investment above and beyond a normal
14 roof, on their home. So that's my piece.

15 CHAIRMAN KORGE: Any more discussion on
16 the motion?

17 MR. BEHAR: Call the question.

18 CHAIRMAN KORGE: Let's call the vote,
19 please.

20 MS. MENENDEZ: Eibi Aizenstat?

21 MR. AIZENSTAT: So this is for making
22 it permanent?

23 CHAIRMAN KORGE: Permanent in the south
24 and a temporary program in the north, on
25 the same terms as the temporary program

1 that had been implemented in the south.

2 MR. AIZENSTAT: I agree that the north
3 should have a pilot program, but I don't
4 agree that the south should be permanent at
5 this time, so I'm going to vote no.

6 MS. MENENDEZ: Robert Behar?

7 MR. BEHAR: Yes.

8 MS. MENENDEZ: Jack Coe?

9 MR. COE: No.

10 MS. MENENDEZ: Cristina Moreno?

11 MS. MORENO: Yes.

12 MS. MENENDEZ: Javier Salman?

13 MR. SALMAN: Yes.

14 MS. MENENDEZ: Tom Korge?

15 CHAIRMAN KORGE: Yes.

16 MR. COE: Is that it?

17 CHAIRMAN KORGE: The next meeting?

18 MR. RIEL: Our next meeting is April

19 9th.

20 CHAIRMAN KORGE: Thank you.

21 (Thereupon, the meeting was adjourned
22 at 8:30 p.m.)

23

24

25

1 C E R T I F I C A T E

2

3 STATE OF FLORIDA:

4 SS.

5 COUNTY OF MIAMI-DADE:

6

7 I, JOAN L. BAILEY, Registered Diplomate
8 Reporter, Florida Professional Reporter, and a
9 Notary Public for the State of Florida at Large, do
10 hereby certify that I was authorized to and did
11 stenographically report the foregoing proceedings
12 and that the transcript is a true and complete
13 record of my stenographic notes.

14

15 I, JOAN L. BAILEY, a Notary Public in and
16 for the State of Florida at large, do hereby certify
17 that all witnesses were duly sworn by me.

18

19 DATED this 19th day of March, 2008.

20

21

22

23

JOAN L. BAILEY, RDR, FPR

24

25 Notary Commission Number DD 64037
Expiration June 14, 2011.