

ORIGINAL

HISTORIC & ENVIRONMENTAL BOARD MEETING
October 5, 2005

Transcribed By:
Tina Lynn Soto, Court Reporter
Notary Public - State of Florida
Klein, Bury, Reif, Applebaum & Associates
Aventura Office
Telephone: 305.937.3880

Klein, Bury, Reif, Applebaum & Associates
A U.S. Legal Support Company

1 CHAIRMAN PARRISH: All right, the next item
 2 is item number three, Coconut Grove Playhouse,
 3 3500 Main Highway, Consideration of Approval of
 4 Historic Site Designation and an Amendment to the
 5 Official and Historic and Environmental Preservation
 6 Atlas of the City of Miami pursuant to Chapter 23.

7 MR. SECO: Okay, same thing, before we
 8 start, the criteria's missing on this
 9 recommendation, also.

10 CHAIRMAN PARRISH: Okay.

11 MS. SOLERA: But I know it's -- I'm sure
 12 it's included in the report.

13 MR. SECO: I'm sure it's in the body of the
 14 document --

15 MS. SOLERA: Right.

16 MR. SECO: -- but all the point -- all the
 17 elements of that criteria should be restated.

18 MS. SOLERA: Right. There it is. Page
 19 12.

20 CHAIRMAN PARRISH: Okay.

21 MS. SOLERA: All yours.

22 CHAIRMAN PARRISH: Okay, yeah. On -- on
 23 Page 12, under relationship to criteria of the
 24 designation report that's been submitted we have the
 25 criteria for designation, and there are three of

1 them set out here. Exemplifies the historic,
2 cultural, political, economical or social trends of
3 the community. Embodies -- number five is embodies
4 those distinguishing characteristics of an
5 architectural style or period or method of
6 construction. And, number six, criteria is an
7 outstanding work of a prominent designer or
8 builder.

9 So Ms. Ugucc -- Uguccioni, if you'd like to
10 proceed.

11 MS. UGUCCIONI: Thank you, Mr. Chairman.
12 The Coconut Grove Playhouse is one of the most
13 distinguished buildings, I think, in the City of
14 Miami, and it has occupied a -- an enormous place on
15 Main Highway for many, many years. I think most all
16 of us know it because it is a big building and it's
17 a very elaborate building.

18 Our company, Janus Research, was
19 commissioned to write this designation report some
20 12 -- I'm sorry, some two years ago. And it was
21 built in 1926. It opened in January of 1927. And
22 Paramount Theaters actually owned it at the time.
23 The firm of Kiehnel and Elliott, which is a name
24 that most all of us know as a very distinguished
25 firm in South Florida, they designed the John Binley

1 residence, which is now Coral Gables School, which
 2 is -- for some, is the first Mediterranean revival
 3 building here in Dade County, and in the region,
 4 some suspect. That firm also did Coral Gables
 5 Congregational Church and any number of -- of
 6 wonderful designs throughout the City of Miami.

7 The exploration of the history was kind of
 8 fun on this one because there was an awful lot
 9 written about it. Newspapers have all of this
 10 information that talk about it from -- from the '20s
 11 on through -- into the 2000 millennium, into the
 12 second -- the millennium.

13 What I wanted to point out to you is that
 14 when I write a designation report -- and I think
 15 this is probably consistent with every other office
 16 that I know of -- what we do is we pick up the legal
 17 description for the property, and when we're talking
 18 about a -- a residence or a commercial building,
 19 generally, that's pretty easily understood because
 20 it would be the actual building and the land that
 21 surrounds it. In this particular case I wanted to
 22 point out to you that the legal description includes
 23 the parking lot, which is directly north of the
 24 Coconut Grove Playhouse. And I believe that after
 25 having thought about it a great deal, is I cannot

1 certainly justify any historic significance to a
2 parking lot. And in the beginning that parcel did
3 not belong to the Coconut Grove Theater. So I want
4 to make that perfectly clear.

5 I also was a bit chagrined at myself
6 because at the end of the report I made the
7 statement only the south and east facades are
8 distinctive, which has led, I think, to a -- people
9 assuming that I am saying that only the east and
10 south facades are important and, therefore, we don't
11 need to worry about the building envelope itself. I
12 want to make clear that my intent -- why I wrote
13 that, again, I'm not sure, but my intent was
14 certainly to include the entire building in the
15 historic designation report. When we designate
16 historic buildings, we don't just do the envelope or
17 the -- what's seen from the front. It doesn't
18 receive its significance from just being two walls.
19 It's a -- an entire history of what happens inside
20 the building.

21 I should also point out that the
22 designation report does not address the interior as
23 having historic significance. That interior had
24 been substantially changed by another very prominent
25 architect who belongs to the modernist movement,

1 Alfred Browning Parker. So our recommendation for
2 this -- and I have spoken to Ms. Kauffman about
3 it -- should be that the building footprint is what
4 we are recommending to you for designation. The
5 changes that Alfred Browning Parker made to the
6 exterior of the building were really quite minimal.
7 It was the interior that he concentrated his
8 energies. The shaped parapet that we showed you in
9 the historic photo was just made into one flat line
10 across the facade. But other than that and a couple
11 of other things -- there have been some windows that
12 have been blocked in -- that building retains very
13 much of its original imper -- appearance.

14 Also, we have a situation on the street
15 where there is a -- a two-story building that is,
16 again, north of it, and in between that two-story
17 building and the Playhouse itself is a one-story --
18 what I called a hyphen. It's a -- it's a
19 connection. It is a physical space. But that,
20 again, was not historically associated with the
21 playhouse, so I don't know if we need to go back to
22 the drawing board -- I'm sure we do -- in terms of
23 the legal description, it's up for discussion. And
24 I know there are a lot of folks in the audience
25 today that would like to speak to this designation,

1 but based on our work and the significance of this
 2 building, which happens to be in its architecture,
 3 in its history as a product of the boom time, but
 4 one that had its ups and downs and has had
 5 remarkable incarnations over time, during the
 6 depression into the '50s and so forth and has
 7 met -- been a survivor all this time and is
 8 certainly a wonderful theater that is still
 9 operating today, it's our recommendation that the --
 10 that the board consider this for historic
 11 designation based on the prominence of the designer,
 12 Richard Kiehnel, the distinctive architecture
 13 itself, the historical significance with the history
 14 of Miami and Coconut Grove. Thank you.

15 CHAIRMAN PARRISH: Okay, I'm sure -- I'm
 16 sure the board will have questions for you all, so
 17 don't go away.

18 MS. UGUCCIONI: Okay.

19 CHAIRMAN PARRISH: What would be the
 20 board's pleasure? Do we want to -- would we like --
 21 prefer to have the -- the report of our staff first
 22 and then take testimony from the public, or would
 23 the board prefer to take the testimony from the
 24 public first?

25 MS. CAPORELLI: (Inaudible).

1 CHAIRMAN PARRISH: All right. I just
2 wanted to know what everybody preferred to do. I
3 know we have people from the public who would like
4 to testify on this. If you will please stand so we
5 can see how many there are and then we'll go from
6 there.

7 Okay, that's a manageable number. And I --
8 if you've been all sworn in, that's good.

9 All right, come to the podium and I guess
10 line up and --

11 MR. APPEL: Want to let the developer go
12 first?

13 CHAIRMAN PARRISH: Oh, I'm sorry, the
14 developer. Yes.

15 I'm sorry, you're from the owner or from
16 the development firm?

17 MR. CHAVIES: (Inaudible) Playhouse.

18 CHAIRMAN PARRISH: Please go ahead, sir.

19 MR. CHAVIES: Okay, thank you very much.
20 Mr. Chairman and members of the board, my name is
21 Michael Chavies. And by way of further
22 introduction, formerly Circuit Judge Chavies for 13
23 years. No longer. I don't wear that hat. I used
24 to sit in a seat similar to yours, but I've been
25 relegated to this lectern now. I'm currently a

1 lawyer with the firm of Ackerman Senterfitt. But I
2 don't wear that hat either. I wear the hat of a
3 member of the Board of Directors of the Coconut
4 Grove Playhouse.

5 And I want to, first of all, thank Miss
6 Uguccioni -- and I hope I didn't do a bad job. Was
7 I close enough?

8 MS. UGUCCIONI: Very close.

9 MR. CHAVIES: -- for that report, and Janus
10 for the report, as well, and say that as my most
11 esteemed colleague Rosario Kennedy did when she was
12 here in June -- when we were here for a long time in
13 June -- that we are here in the spirit of
14 cooperation. That we, too, believe that the
15 playhouse facade should be historically preserved,
16 and, for the most part, we agree with the -- the
17 comments of Janus. We can tell you that there is no
18 development underway at the present time other than
19 the thought and -- and hope that we can restore and
20 renovate this playhouse to bring it up to modern day
21 expectations. I know there were some thoughts and
22 questions about that.

23 We believe that the facade should be
24 preserved and that a portion of the main street area
25 of the outside of the playhouse and, also, the

1 Charles Avenue area of the playhouse should be
2 preserved, as well, in accordance with, you know,
3 the thoughts that were in a report of Mr. Marcus,
4 Arthur Marcus, which I think you should have. By
5 the way, I -- I would ask that a letter that we sent
6 over to your board this morning -- hopefully you
7 received it -- be made a part of this record. And
8 we would ask -- if it has not been received and if
9 it is not a part of the record, we certainly would
10 ask that we be permitted to file it as part of the
11 record of these proceedings. So may I ask you a
12 question? Ask whether or not it's been received.
13 Mr. Chairman, do you --

14 CHAIRMAN PARRISH: Yes, you may. And --

15 MR. CHAVIES: Okay.

16 CHAIRMAN PARRISH: -- you can ask our
17 preservation officer.

18 MR. CHAVIES: Right.

19 MS. CAPORELLI: It has been received and it
20 will be part of the record.

21 MR. CHAVIES: Thank you very much.

22 MS. CAPORELLI: You're welcome.

23 MR. CHAVIES: Okay. I don't have a whole
24 lot further to say other than we thank you for the
25 opportunity to speak to you this afternoon.

1 At some point I would like Mr. Marcus to
2 speak on behalf of the playhouse and its position
3 with regard to preservation, but I think I have made
4 our thoughts known to you. And with regard to our
5 legal position, it's also included within the four
6 corners of the report that has been tendered for
7 your consideration. I thank you ever so much.
8 Okay?

9 CHAIRMAN PARRISH: Thank you, Mr. Chavies.
10 Mr. Chavies, you're -- you're on behalf -- your
11 client is --

12 MR. CHAVIES: I'm not rep -- I'm a member
13 of the Board of Directors of the Coconut Grove
14 Playhouse.

15 CHAIRMAN PARRISH: Okay.

16 MR. CHAVIES: So I'm a part of the board of
17 the Coconut Grove Playhouse. I'm not representing
18 them in a legal capacity.

19 CHAIRMAN PARRISH: You're not representing
20 them in a legal capacity?

21 MR. CHAVIES: No.

22 CHAIRMAN PARRISH: And -- but you are
23 speaking for the board?

24 MR. CHAVIES: I'm speaking on behalf of the
25 board.

1 CHAIRMAN PARRISH: Okay.

2 MR. CHAVIES: I'm their -- I'm their
3 spokesman today. Okay?

4 CHAIRMAN PARRISH: All right.

5 MR. CHAVIES: All right.

6 CHAIRMAN PARRISH: Thank you.

7 Yeah.

8 MR. APPEL: Be easy for me to just call you
9 Judge. My stepfather's a retired judge. I just
10 call him Judge. Make it a lot easier.

11 MR. CHAVIES: Okay. It still sounds good.
12 Thank you very much. Appreciate it.

13 MR. APPEL: Thank you.

14 Sir, one quick question.

15 MR. CHAVIES: Yes.

16 MR. APPEL: Did you -- were you -- do you
17 know who authored this letter dated October 5th that
18 you referred to?

19 MR. CHAVIES: The -- it was part -- part of
20 the entire board. It's a presentation of us. And
21 it was done in large part by Mr. Gabriel Nieto of
22 the Law Firm of Squires and Sanders, who
23 participated in this with us.

24 MR. APPEL: Okay, I mean, in the future --
25 I don't know what the rules are, but normally you

1 have to know who authors something. And it's just
2 not signed, and I'm -- normally, I like reading
3 these things a little bit beforehand. We have
4 Mr. Marcus' report --

5 MR. CHAVIES: I think that's a fair
6 comment.

7 MR. APPEL: We just got this an hour ago.
8 If any board members weren't by an e-mail today,
9 they did not receive it.

10 MR. CHAVIES: Okay.

11 MR. APPEL: It's not authored.

12 MR. CHAVIES: We --

13 MR. APPEL: That obviously goes to
14 credibility.

15 MR. CHAVIES: I'll take -- I'm sorry. It's
16 on behalf of the Coconut Grove Playhouse. I'm sorry
17 that it wasn't signed.

18 MR. APPEL: Okay.

19 MR. CHAVIES: Okay?

20 MR. APPEL: Group effort.

21 MR. CHAVIES: Thank you very much. Yep.
22 Um-hum.

23 MR. APPEL: Thank you.

24 CHAIRMAN PARRISH: Thank you, sir.

25 MR. CHAVIES: Thank you.

1 CHAIRMAN PARRISH: All right. We can take
2 testimony now from the public, please. Whoever
3 would like to go first.

4 MR. MARCUS: Good afternoon, members of the
5 board, my name is Arthur Marcus. I am an architect
6 in private practice in Miami Beach, and I was
7 retained by the Coconut Grove Playhouse to prepare
8 an independent report on the status of the
9 designation. I -- I think you've received my letter
10 previously, which was submitted to Miss Kauffman
11 earlier. And, basically, we really do agree with
12 the recommendations in the staff report as prepared
13 by the City of Miami. It did say in the staff
14 report that the south and east facades were the only
15 portions of the building of architectural
16 significance, and we do agree with that. I've
17 always been -- I've been a preservationist for many
18 years. I'm on the Board of Miami Design
19 Preservation League. I was formerly Chairman of the
20 Historic Preservation Board in Miami Beach, and I
21 served on that board for many years. So I have a
22 lot of experience in the field. And I also work on
23 a lot of restoration and rehabilitation projects. I
24 won't go through some of the texts that I have
25 prepared because it's basically the gist of the

1 letter that I had written and we're really talking
2 about the same thing that the designation report
3 talks about.

4 I've never -- as I was saying earlier, I've
5 never been a strict preservationist in a sense that
6 one must retain everything of a building because I
7 really think after my years of serving on the board
8 in Miami Beach one of the real concerns that always
9 comes up in these issue -- in these projects and
10 these issues, as is certainly evident in this one,
11 is the economic viability of a building later on.
12 In designating and in looking at the designation of
13 the major facades on this building, as an architect,
14 I would certainly say that you'd want to take it
15 around the corner five, ten, 15, 20 feet, whatever,
16 in order to maintain the envelope and the mass and
17 the scale of the building so that when seen from
18 street in the future with any development that may
19 or may not appear with this building it would appear
20 as a mass, as an intricate mass. What we would hope
21 that would not happen would be to inhibit the kind
22 of development that could really give Miami a
23 theater for the 21st century in the coming years.

24 So we would hope that, you know, looking at
25 the facade, which is certainly the major

1 architectural significant element that it -- remains
2 on the structure, I think we're all in agreement
3 with that. I think there's larger issues certainly
4 that you may want to consider. This building has
5 certainly lived many lives in all of its history. I
6 mean, starting as a movie house it was never
7 successful financially and it was never successful
8 artistically. And in the renovations in the 1950's,
9 when Mr. Parker converted it into a theater for live
10 stage productions, it's never really functioned as
11 well as it could be because it was designed as a
12 movie theater.

13 The intent here is certainly -- and I think
14 everyone in the city agrees with this -- to bring
15 this theater up to the next century, so that it can
16 work as a theater and as a performing arts venue for
17 our community.

18 I thank you. And if you have any questions
19 later, I'd be happy to address them.

20 CHAIRMAN PARRISH: Okay. Thank you very
21 much. Is -- all right, Ron, go ahead. Please state
22 your name for the record.

23 MR. NELSON: Hi, my name is Ron Nelson.
24 2535 Managua Avenue, Coconut Grove. I am the
25 President of the Coconut Grove Civic Club, and it

1 has been the stated mission of the civic club for
2 years to try to preserve the heritage and culture of
3 Coconut Grove. And, certainly, the playhouse is an
4 important part of that. I understand their wanting
5 to come more modern with the playhouse itself, the
6 interior, the stage and the sets and the things they
7 need to put on plays of -- of today.

8 One of my real concerns with the property
9 is the adjoining neighbors. As we know, this has
10 been talked about for redevelopment. And it is a GI
11 property and you're abutting our one neighbors,
12 residential neighbors, and I certainly hope and
13 think that designating the playhouse would help
14 towards the sensitivity that's needed to the
15 neighbors that -- that abut this property. That --
16 that's a consideration I know that's not
17 specifically on here -- GI zoning will be dealt with
18 when they get to redevelopment of the rest of the
19 property -- but I certainly hope that the historic
20 preservation will help soften that blow for the
21 abutting neighbors, and please vote to have it
22 designated, the entire building.

23 CHAIRMAN PARRISH: Okay.

24 Next, please.

25 MR. COLLINS: Good afternoon, David

1 Collins. 3230 Gifford Lane. My remarks are brief.
2 And I'm not sure that I'm totally in agreement with
3 everybody here, but what's clear in terms of the
4 playhouse and anybody who's ever walked through the
5 building or seen a play there is that it's willfully
6 inadequate. In order -- I don't know about doing
7 the plays of the 21st century, but it's not even
8 adequate for the plays of the 20th century. I
9 managed an arts organization that toured thousands
10 of stages in America, and it's just not there as a
11 stage. If the funds are available to make better
12 stages in that space, we need it. And if they're
13 gonna be a real theater, then they need it.

14 In terms of the building itself, everything
15 should be done to protect the facades.

16 In terms of the merchant life of the center
17 of the Grove -- I'm not sure this concerns you
18 today -- the space you call the parking lot, it is
19 unnerving to hear that discussed as some sort of
20 sustaining indominant (sic) structure that can be
21 tossed to the commercial sector blithely to be used
22 as an endowment. That would adversely affect the
23 center of the Grove, period.

24 The last thought that I have for you,
25 having said some divergent things to you, is that

1 you need to be sensitive to how long that space is
2 gonna be down because if it goes down two years,
3 then you have enormous catastrophic consequences
4 that are about to happen in Coconut Grove.

5 So thank you.

6 MR. HEISENBOTTLE: Mr. Chairman, I'm afraid
7 that I missed your swearing in ceremony, so if you
8 would kindly direct me.

9 FEMALE SPEAKER: Would you please raise
10 your right hand? Do you swear that the testimony
11 which you are about to give is the truth?

12 MR. HEISENBOTTLE: I do.

13 CHAIRMAN PARRISH: Thank you.

14 MR. HEISENBOTTLE: Thank you very much.
15 And, for the record, my name is Rich Heisenbottle.
16 I'm President of Dade Heritage Trust and I have my
17 offices at 340 Minorca Avenue, in Coral Gables. I
18 am here today both as a preservation architect and
19 someone who has sat on your board for over ten
20 years. And, also, as President of Dade Heritage
21 Trust, to encourage you to designate the entire
22 building, not just the front facade.

23 With all due respect to Arthur, a fellow
24 architect and known preservationist, it is -- it is
25 wrong for us to think of -- of designating portions

1 of buildings. How ludicrous does it become if we
2 go -- we begin the process of going around
3 indicating that that set of columns is historic or
4 those coins going up the side, Jerry, are historic,
5 or maybe it's just the bell tower that's historic.
6 We designate entire buildings, and then down the
7 road, when the plans are complete, as you guys have
8 done for many, many years, you review those plans
9 for a project and for alterations of the building,
10 you decide at that time whether or not this
11 historic -- these proposed plans are in sympathy
12 with the historic building and what impact they
13 have, and you grant them a certificate of
14 appropriateness because they are appropriate. You
15 weight that certificate of appropriateness against
16 the secretary of the interior standard and you look
17 at things like the stage house here and you may say
18 to yourself down the road that this is not a
19 contributing element, so if they want to tear the
20 stage house down, certainly, perhaps we should let
21 them, right? You make those decisions, but you
22 don't make them today on a day you're designating
23 the building. You don't cart blanche say, it's
24 gonna be fine to tear the entire back of the
25 building down. You designate the entire building

1 and you send the project through the same process
2 everyone else goes through, where you evaluate the
3 proposed new construction in accordance with the
4 secretary of the interior standards that you -- so
5 with that, I urge you once again to propose that
6 this nomination include the entire historic
7 structure.

8 Thank you.

9 MR. MARSTON: Mr. Chairman?

10 Mr. Chairman --

11 CHAIRMAN PARRISH: Yes?

12 MR. MARSTON: -- are we allowed to at this
13 point ask any questions of --

14 CHAIRMAN PARRISH: No, I think probably any
15 board member that feels so inclined, so that we
16 don't lose our train of thought, if it's cogent, go
17 ahead and let's do this as we go, and then we'll ask
18 most of the questions at the end.

19 MR. MARSTON: Ask the questions at the end
20 as opposed to now?

21 CHAIRMAN PARRISH: No, go ahead now.

22 MS. LORENZO: Go ahead.

23 MR. APPEL: (Inaudible) at the end, but
24 I -- I want to ask --

25 CHAIRMAN PARRISH: Couple of bites at the

1 apple, but go ahead.

2 MR. MARSTON: Because I think it's
3 important with -- with what you've said, have you
4 ever renovated a historic theater?

5 MR. HEISENBOTTLE: As everyone on this
6 board knows, we've probably renovated --

7 MR. MARSTON: How many? How many would you
8 guess?

9 MR. HEISENBOTTLE: Probably about eight.

10 MR. MARSTON: And when you do a historic
11 theater, do you work with --

12 MR. HEISENBOTTLE: (Inaudible) new theaters
13 (inaudible).

14 MR. MARSTON: -- the essential kind of
15 envelope of what the historic theater was and then
16 adapt the theater to that envelope? Is that the
17 kind of method of operation.

18 MR. HEISENBOTTLE: Yeah, I mean, that's,
19 certainly, normally the case. And -- but as a good
20 example -- and Arthur can testify to this because
21 he's from Miami Beach -- the Colony Theater. There
22 was a case where we restored the Colony Theater and
23 the area in the back, however, was severely altered,
24 but it wasn't -- it wasn't a situation where we
25 decided up front that the rear of the theater didn't

1 matter. The entire Colony Theater was designated
2 historic and, through the same process that I
3 outlined just a few minutes ago, a conscious
4 decision was made to expand that theater to give it
5 a full fly loft and a new design that was compatible
6 with the rest of the historic structure was
7 conceived so that -- so that it works now as a
8 full -- you know, fly loft in the theater and, at
9 the same time, a historic theater in its own right.

10 Thank you.

11 CHAIRMAN PARRISH: All right, thank you.

12 MR. MACMASTER: Jim MacMaster. 2940
13 Southwest 30th Court, Coconut Grove. Just a
14 resident who's been growing old enjoying the
15 playhouse, and I hope it's there for quite a while
16 longer.

17 Mr. Heisenbottle said exactly what I've
18 wanted to say but never could have. The key here is
19 you declare the whole building historic and then
20 they come in with plans and if you want to take the
21 stage off, take off part of the auditorium, that's
22 the way we should do it.

23 I think it was Mr. Marcus said something
24 about the economic viability of the building in the
25 future. And there have been a number of comments so

1 far today we seem to be dancing around economics.
2 And I don't think this board is here to discuss
3 economics. You're here to discuss strictly Janus
4 Research, is the building historic or isn't it. And
5 I would ask a board member to -- at some point to
6 follow up with the two-story crenulated building,
7 with the crenulated stone that's connected to the
8 playhouse by the hyphen, is that also part of the
9 building that's going to be designated historic?

10 There's a separate two-story structure
11 probably built in about 1910 which is in -- except
12 for the first floor store front, is pretty much
13 original.

14 Getting back to the economic viability, I
15 think that if that issue is gonna be raised, the
16 playhouse got this land for free. When the state
17 deeded it to them recently, the state made a point
18 of saying that since the state gave them the lease
19 there, the state has given them \$20. The county has
20 a \$15 million bond issue that I understand this
21 portion of the money was passed. We voted so they
22 could preserve and restore the existing playhouse.
23 The city and county, I understand, have given them
24 millions of dollars. The economic issue is a
25 separate issue. The building is historic and please

1 declare it so.

2 Thank you.

3 CHAIRMAN PARRISH: Thank you.

4 MS. LANG: My name is Barbara Lang. I live
5 3495 Main Highway, in Coconut Grove, which is almost
6 across the street from the playhouse, and I'm here
7 to ask you to support designation for the entire
8 building.

9 I also have a question, and maybe the new
10 historic preservation could -- officer could
11 answer. The old building -- I call it rustic. Does
12 anybody know how old that is? And should that have
13 been included in the designation report? I thought
14 in the original designation report I looked at that
15 was included. Do you know?

16 MS. KAUFFMAN: Well, the author of the
17 designation report is here, Ellen Uguccione, and she
18 can talk both about that building and the rusticated
19 building, which I believe are not part of the
20 designation.

21 MS. UGUCCIONI: That's correct, they are
22 not. They are two separate folio numbers for the
23 Coconut Grove Playhouse and the building which is --
24 the address that's given is 3498 Main Highway. The
25 two-story building is a vintage building, 1925, and

1 in that sense it would qualify as being old enough
2 for designation. But in terms of its -- of its
3 association with this building, it has none. It's a
4 separate, distinct building, so we couldn't justify
5 including it in this in terms of the history of the
6 building and -- in the genesis of it.

7 MS. LANG: So that building could not be
8 included because it has no relation --

9 MS. UGUCCIONI: It has no relationship to
10 the theater itself. It wasn't built by the same
11 people, it wasn't used to house the theater
12 performers or anything to do with this particular
13 designation. It could come back individually.

14 MS. LANG: Okay. Well, anyway, thank you.

15 And I also want to thank the board for us
16 being here today because without you we wouldn't be
17 designating or, hopefully, designating this building
18 today.

19 Thank you.

20 MR. APPEL: Can you shed some light on the
21 two buildings that seem to be at issue regarding the
22 1970's additions that were connected? Do you
23 have --

24 MS. UGUCCIONI: To the rear.

25 MR. APPEL: Right, do we have a clearer

1 picture of them?

2 MS. UGUCCIONI: To the rear.

3 MR. APPEL: I mean, it's really not in any
4 of these --

5 MS. UGUCCIONI: Right.

6 MR. APPEL: That's --

7 MS. UGUCCIONI: Unfortunately, I don't have
8 images of that with me.

9 MR. APPEL: Okay.

10 MS. UGUCCIONI: In the back, yes. And
11 there are later additions. And it does, again, kind
12 of speak to the -- the issue that Mr. Heisenbottle
13 brought up in the sense that if something were to
14 happen in the back, obviously those later additions
15 that have no real distinction at all are certainly
16 the ones that would be going down in -- in favor of
17 something else.

18 MR. APPEL: So these additions from the
19 1970's are basically in the back of the building?

20 MS. UGUCCIONI: That's correct.

21 MR. APPEL: Okay.

22 MS. UGUCCIONI: I think there's one on the
23 side, as well.

24 CHAIRMAN PARRISH: And they have a separate
25 folio number and a separate (inaudible)?

1 MS. UGUCCIONI: No, sir, those do not.
2 Those are actually attached and part of the
3 building.

4 CHAIRMAN PARRISH: Okay, but you're --

5 MS. UGUCCIONI: What -- and I apologize
6 that I don't have any graphics, better graphics, to
7 show you, but --

8 MS. SOLERA: The folio is this highlighted
9 area that you have here?

10 MS. UGUCCIONI: Correct. Exactly.

11 MS. SOLERA: Which includes the parking all
12 the way around -- well -- two of the sides of the
13 building?

14 MS. UGUCCIONI: Right. And what I am
15 suggesting to you is that only the footprint of the
16 building which takes in -- you know, with the
17 additions that were put on at some later time --

18 MS. SOLERA: Who owns the parking --

19 MS. UGUCCIONI: -- being designated and not
20 the parking lot.

21 MR. APPEL: So these additions are to the
22 Northwest?

23 MS. UGUCCIONI: Yes.

24 MR. APPEL: They're back in here?

25 MS. UGUCCIONI: Uh-huh.

1 MS. SOLERA: (Inaudible) land, who owns the
2 land?

3 MR. APPEL: That's what were additions?

4 MS. UGUCCIONI: Uh-huh.

5 MR. APPEL: Okay, and none of the interior
6 (inaudible)?

7 MS. UGUCCIONI: No, sir. Ordinarily, and
8 in your ordinance -- and I can't give you the
9 citation, but I'm sure someone has it with them,
10 that says -- that speaks about distinction in
11 interiors and -- and I know that was addressed back
12 when Ms. Eaton was the historic landmark officer,
13 and, certainly, it was my opinion that the historic
14 interiors that were part of the Kiehnel and Elliott
15 phase were gone. And there are incredible write-ups
16 about what that theater was like. I'm not sure that
17 it could compare with the Gusman, but certainly it
18 was extraordinary on the inside, and essentially it
19 was just stripped down so that it was -- it was very
20 modern looking.

21 MS. SOLERA: Who technically owns this
22 folio, this piece of property?

23 MS. UGUCCIONI: It's shown as the state of
24 Florida, but I --

25 FEMALE SPEAKER: Coconut Grove, LLC.

1 MS. UGUCCIONI: Coconut Grove, LLP.

2 FEMALE SPEAKER: LLC.

3 MS. UGUCCIONI: LLC.

4 MS. SOLERA: The playhouse is actually --
5 the whole -- the playhouse owned all that property?
6 You don't lease it from the state or anything like
7 that? You actually own it? The state gave it to
8 you?

9 MR. APPEL: And it's a 501 c, nonprofit
10 entity of some sort. Okay?

11 MS. SOLERA: But she can't be answering --
12 okay.

13 MR. MARSTON: The -- the rusticated
14 building, okay, is not within the shaded area?

15 MS. SOLERA: No, it's probably that corner
16 piece. If you look at the plan, you see that
17 little, itty, tiny, little thing?

18 MS. LORENZO: Do you have a photograph
19 included?

20 MS. UGUCCIONI: Right here.

21 MS. SOLERA: Right, it's probably that
22 little piece right there.

23 MS. CAPORELLI: That little bit.

24 MS. SOLERA: The question is, who owns that
25 little piece?

1 MR. APPEL: No, no, basically, the whole
2 thing. We want the whole --

3 CHAIRMAN PARRISH: Okay.

4 MS. SOLERA: I don't.

5 MR. APPEL: Everything. (Inaudible) wants
6 to cut out -- they just want to cut out (inaudible).

7 CHAIRMAN PARRISH: (Inaudible).

8 MR. APPEL: This is not part of the
9 report.

10 CHAIRMAN PARRISH: Okay, Barbara, have you
11 finished your --

12 Okay. Next, please.

13 MS. NEMEYER: My name's Michele Nemeyer.
14 I'm a resident of Coconut Grove, at 3053 Day Avenue.
15 I'm also a member of the Coconut Grove Village
16 Council. I'm accompanied here today by a number of
17 our members who asked me to be the Village Council
18 member to come up here to speak. As I'm sure all of
19 you realize, Coconut Grove is under assault by
20 development which is grossly inconsistent with the
21 character of our community. Our downtown is
22 suffering from that. The whole character of our
23 neighborhood is suffering from that. And the
24 character of our neighborhood is part of the appeal
25 that makes Coconut Grove a tourist destination and a

1 highly sought after residential neighborhood. We
2 would greatly appreciate your help in protecting the
3 character of our neighborhood by maintaining or
4 creating a historic designation on this property.

5 I think all of us understand that there
6 were a lot of politics that went behind this. The
7 Coconut Grove Playhouse was given this property by
8 the State of Florida so that it could be a
9 playhouse. I'm not here today to discuss the value
10 judgements to be made about whether or not other
11 types of construction might be incorporated into
12 whatever ultimately is done with that property, but
13 it clearly has to be a playhouse. It clearly has to
14 maintain the historic character of our community.
15 And the only way we have control over that is for
16 you to designate the property as historic so that
17 you can then review the designs as the process
18 proceeds. We would greatly appreciate your support
19 in doing that today.

20 Thank you.

21 CHAIRMAN PARRISH: Thank you.

22 Next, please.

23 (Applause).

24 MS. WEST: Good afternoon, my name is Nina
25 West. I live at 3690 Avocado Avenue, in Coconut

1 Grove. I'm also a member of the Village Council.
2 I'm not speaking on their behalf today, but I'm a
3 property owner in a designated historic district and
4 have a great interest in historic buildings in
5 addition to wanting to see this one preserved.

6 But my -- my question right now is to the
7 preservation officer. The building -- it's my
8 understanding that in the City of Miami any citizen
9 can ask that a building officer look into the
10 building to see if it deserves historic
11 designation.

12 MS. KAUFFMAN: That's correct.

13 MS. WEST: Is that correct?

14 MS. KAUFFMAN: Yes.

15 MS. WEST: Okay, so there is -- I'm talking
16 about the house built in 1910 that's part of that
17 property. So at this time I'd like to you ask -- to
18 ask you to please investigate that as part of the
19 designation for the play --

20 MS. KAUFFMAN: I can't combine it with this
21 designation that's up right now, but we --

22 MR. APPEL: We've already discussed that.

23 MS. KAUFFMAN: -- we've discussed that.

24 MR. APPEL: It's a separate building.

25 MS. KAUFFMAN: It --

1 MS. WEST: Right, but, I mean, can it be
2 investigated as a separate building with designation
3 on its own?

4 MS. KAUFFMAN: That's correct. It can't be
5 a part of this one right here because --

6 MS. WEST: But it could be something that
7 you would begin to do?

8 MS. KAUFFMAN: Correct.

9 MS. WEST: Okay, well, that is the request
10 that I am making.

11 MS. KAUFFMAN: Okay.

12 MS. WEST: Okay?

13 And as far as the building is concerned, I
14 am hoping that you will preserve this building in
15 its entirety and then look at the plan afterward.
16 The --

17 MS. KAUFFMAN: If I can make one
18 clarification, someone has to bring us the
19 preliminary designation report.

20 MS. WEST: We can do that. We'll get it to
21 you.

22 Thank you.

23 MR. APPEL: Thanks.

24 CHAIRMAN PARRISH: Thank you.

25 Hold on one second, sir, Judge. Is there

1 anyone else from the public who would like to give
2 testimony at this time?

3 MR. APPEL: Something new to say?

4 CHAIRMAN PARRISH: Yes. Please identify
5 yourself again.

6 MR. CHAVIES: Thank you very much. Michael
7 Chavies, once again. Just want to clear up one
8 point. My understanding is that we've received \$15
9 million in general obligation bond money from the
10 county. There was a previous \$5 million bond and I
11 think \$500,000 from the State of Florida. I don't
12 know anything about a \$20 million receipt from the
13 State of Florida. It just -- there is none at the
14 present time. I wanted to clear that up for the
15 record. Okay?

16 CHAIRMAN PARRISH: Okay. Thank you.

17 MR. CHAVIES: Thank you very much.

18 CHAIRMAN PARRISH: Okay. Is there any
19 other further testimony from the public at this
20 time?

21 All right, then we'll close the public
22 hearing and have our preservation officer's report,
23 staff report.

24 MS. KAUFFMAN: The preservation officer
25 recommends that the board adopt the attached

1 designation report of the Coconut Grove Playhouse
2 and approve the historic site designation in its
3 entirety per the legal description as contained in
4 the designation report and amendment to the official
5 Historic and Environmental Preservation Atlas of the
6 City of Miami, Florida pursuant to Chapter 23 of the
7 Miami City Code.

8 CHAIRMAN PARRISH: Thank you very much.

9 Okay, we can open this up to questions from
10 the board. Comments?

11 MR. MARSTON: I just need to ask one
12 question. Do we have anybody on the board who would
13 like to speak as a champion for the notion of
14 designating only the facades?

15 MS. SOLERA: No.

16 MR. MARSTON: I think we might move this
17 forward a lot quicker if we --

18 MS. SOLERA: No.

19 MR. MARSTON: I would like to, therefore,
20 move --

21 MS. SOLERA: And it will include the whole
22 property, correct?

23 CHAIRMAN PARRISH: Hold on, Jerry, before
24 you make a motion --

25 MR. MARSTON: I --

1 CHAIRMAN PARRISH: -- because I think we
2 may have some other comments from the board. So
3 hold off on any motion for right now.

4 MR. APPEL: Yeah, as you agree, I'm sure
5 that's how we all feel, but I think it's important
6 for the public and for the board to know in my
7 opinion it seems it's a little bit of -- as Richard
8 I think summed it up very well, plus it's kind of
9 setting a bad precedent for us to basically say we
10 are not going to be involved in the review of plans
11 to possibly not historic features of a building that
12 may adversely affect the historic features of the
13 building. I don't think this board has a reputation
14 of being knee jerk, strict preservationists. We've
15 approved many various alterations that's been within
16 the secretary interior standards. We understand
17 that many of the elements are not as important as
18 may -- as others and the importance of having the
19 playhouse be economically viable into the future.
20 It's just a question of the first issue to me is, is
21 it -- is to designate the building and what is in
22 that envelope and then, when the plans come, for us
23 to review them and to review them with -- with an
24 open mind with everything that has been brought up.
25 And I think everybody on this board has always done

1 that. So we're not just ignoring the situation.
2 And I think that's important (inaudible).

3 MS. SOLERA: I think Richard and -- and
4 Gary have both summarized it well. And if I could
5 just use a couple of examples in Miami Beach, the
6 Bancroft Hotel, which now holds only the front
7 facade, and behind it is a Michael Graves Building,
8 the Edgewater Build -- I mean, there's a variety of
9 buildings that all you got left was the front
10 facade. And in those cases I think those were
11 actually entire structure was designated and somehow
12 still only managed to survive a front -- literally,
13 a pastiche just, you know, applied it, and I think
14 if we only do that to this building, we're running
15 that risk because then it's really only the front
16 facade; it's not a matter of arguing let's demolish
17 everything and keep the front facade only.

18 MR. APPEL: I don't think there would be a
19 building left, Lourdes, on Miami Beach that would
20 ever have been designated --

21 MS. SOLERA: There would be nothing. Well,
22 I'm just using that as an example as to why for us
23 it's very important that the entire structure be
24 there. And, as Gary said, we have always been very
25 understanding of what is not historic, how do you

1 apply to it, you know, all those things that -- that
2 allow development of a property and improvement
3 because, obviously, you want this to remain a viable
4 theater.

5 MR. SECO: Right.

6 MS. SOLERA: We're not going to try to do
7 something that is gonna just make it go down the
8 hill, so to speak.

9 MR. SECO: And last time I went to the
10 Paris Opera House I walked into the Paris Opera
11 House. I didn't just walk through the facade. It
12 was an opera house.

13 MS. SOLERA: That's a --

14 CHAIRMAN PARRISH: Motion --

15 MR. APPEL: Motion --

16 MS. SOLERA: Motion. We got lots of --

17 MR. APPEL: I mean, it -- you know,
18 everyone be okay with the parking lot not
19 designated --

20 MS. CAPORELLI: Can I just -- Mr. Chairman,
21 can I just say something --

22 CHAIRMAN PARRISH: No, wait. I want to
23 address that.

24 MS. UGUCCIONI: Mr. Chairman, I just wanted
25 to make sure that we were clear on the legal

1 description because it does include the parking lot
2 as it stands right now.

3 MS. SOLERA: Personally, I think we need to
4 include the entire parcel. Again, if it comes to us
5 with an improvement or a change, we're always
6 willing to look at it. But if you only do the
7 footprint and then low and behold they build --

8 MALE SPEAKER: High-rise.

9 MS. SOLERA: -- you know, some monster next
10 to it and all of a sudden I can't see that
11 beautiful -- never mind it's got bad additions, but
12 I can't see it like it's supposed to be seen, then
13 we as a board have no control at all. We have no
14 way of helping the city maintain its history.

15 MS. UGUCCIONI: No, I understand that,
16 Miss Solera --

17 MS. SOLERA: So we like it just like you
18 have it.

19 MS. UGUCCIONI: Well, may I just say for
20 the record that that parking lot -- I'm terribly
21 sorry -- that parking lot was never historically
22 associated with the building when it was built in
23 1926. So in terms of just finding its association,
24 it's really just a matter of circumstance that it --
25 at some later date the property was purchased by the

1 Coconut Grove Playhouse.

2 MS. SOLERA: Right.

3 MS. UGUCCIONI: So I just want to make that
4 clear on the record.

5 MS. SOLERA: I personally understand, but
6 still think the whole parcel and then you work
7 (inaudible) from it.

8 MR. APPEL: I think we got to consider
9 it -- I know with like Mike Ritter property --

10 CHAIRMAN PARRISH: Correct.

11 MR. APPEL: -- we ended up carving out the
12 parking lot and just do -- designating the
13 building.

14 MS. SOLERA: Right.

15 MR. APPEL: And it's my understanding if --
16 even if we did not designate the parking lot, if
17 it's going to attach to the theater, that gives us
18 jurisdiction because it affects the building, if it
19 attaches.

20 On one hand I understand what Lourdes is
21 saying. On the other hand I just want to appear
22 fair and not go more than (inaudible).

23 CHAIRMAN PARRISH: That was the same
24 question I had. And whether it's Kathleen or
25 whether it's Rich or somebody from the owner, and

1 Ellen, as well, if we included the parking lot,
2 which I think it -- most of the members of the board
3 would like to do, do we jeopardize this designation
4 today at all? I mean, we are not the final say so
5 on this. You can always go to the city commission.
6 Are we overreaching, Rich or Ellen, or -- by
7 including this in the designation?

8 MS. UGUCCIONI: I certainly don't want to
9 take anybody's time on this, but as I reviewed it
10 again I was concerned that I had not made the case.
11 And it's just a matter of course when we do these
12 designation reports to go to the assessor's record
13 and copy down the legal description. It wasn't
14 until later that I understood the implications as it
15 concerns the Coconut Grove Theater. I am certainly
16 amongst you in wanting to have some participation in
17 what could be built on that parking lot, which is a
18 substantial size lot, but I want you to understand
19 that it cannot be justified from a historical point
20 of view. And if we stay within the parameters, as I
21 understand them, of our historic preservation
22 ordinance, then I don't think we can justify it.

23 MS. SOLERA: Okay, then I have a question
24 for you. Obviously they owned the footprint, but
25 you must have had something around the footprint.

1 MS. UGUCCIONI: Right.

2 MS. SOLERA: How much of it was part of the
3 original playhouse?

4 MS. UGUCCIONI: I think we're gonna have to
5 have almost a surveyor go out and look at it, quite
6 honestly. I went back to the Sanborn maps this
7 morning and looked at -- at the historic footprint
8 and it is about what appeared to be maybe ten inches
9 away from the property line --

10 MS. SOLERA: No zoning.

11 MS. UGUCCIONI: Really. It was just like
12 on top of it. So that's one of the things I wanted
13 to make sure, that I was correct in seeing that as a
14 separate parcel, that parking lot. And it was not a
15 parking lot always.

16 MS. SOLERA: Do you know what was there
17 before? Is it --

18 MS. UGUCCIONI: I think it shows a
19 footprint of a -- of a little square building.

20 MS. SOLERA: On both ends? Because it
21 actually is surrounded by two -- one's a larger
22 parking and the other is an empty parcel. Was it --

23 MS. UGUCCIONI: Um-hum -- I don't --

24 MS. SOLERA: You don't know?

25 MS. UGUCCIONI: I don't want to say because

1 I'm not sure that I remember correctly.

2 CITY ATTORNEY: Okay. An observation
3 pursuant to the application is that unless you have
4 a separate divisible parcel, the consideration for
5 this board today is the parcel as presented to you.

6 CHAIRMAN PARRISH: I understand. Okay.
7 That's good. That clarifies that. The parcel as
8 presented.

9 But that said, the comment I had for
10 this -- this is probably the most important
11 development parcel -- if you call it a development
12 parcel -- historic parcel and development parcel.
13 You can talk to any of the restaurateurs of -- on
14 Commodore Plaza. They all depend on a thriving
15 playhouse to make the Grove be the destination that
16 it needs to be. And there's all -- there's many,
17 many considerations to this property. One thing,
18 that I think it was Ron Nelson brought up, it backs
19 up to what his -- the Bahamian section of the Grove
20 to my -- unless I'm mistaken, the barbed wire on
21 that parking lot is still there at the back of that
22 parking lot separating the playhouse from the
23 Village West Island District. So this parcel, when
24 it is re-configured into whatever it's going to --
25 you know, whatever plans are going to be --

1 eventuated on it, needs to consider all of the
2 neighbors. It needs to consider the commercial
3 aspects of it. It needs to consider what it
4 presents to Main Highway. This is just such an
5 unbelievably important property to the Grove,
6 certainly what Mr. Heisenbottle said about that this
7 needs to be an ongoing process of meeting with
8 people from the Grove, meeting with the specialists
9 that we have in historic preservation, meeting with
10 the people that depend on the playhouse being a
11 thriving playhouse to support the restaurants on
12 Coconut -- it's all -- it's all related.

13 And, certainly, the transportation that's
14 going to be developed in the road, whether they have
15 bus circulators or a trolley, certainly one of the
16 considerations is driving -- that is driving this
17 playhouse site is there is -- it's one of the last
18 remaining places that there can ever be any parking
19 provided for the central business district.

20 So all those things being said, rather than
21 go fast, this board member is inclined to go slowly
22 with this to develop plans in stages that come back
23 before this board that get the buy-in from the
24 community. And we just don't hurry this thing. As
25 much as there may be economic pressures on the

1 playhouse it's just way, way, too important a
2 property. So those are my feelings.

3 MS. CAPORELLI: Well, that's all well and
4 good as far as the economic impacts and all that.
5 That is not what is before us here today.

6 CHAIRMAN PARRISH: I realize that.

7 MS. CAPORELLI: It -- it is the historic
8 significance of the building that has been brought
9 before us for designation.

10 CHAIRMAN PARRISH: And I a hundred percent
11 agree with you --

12 MS. CAPORELLI: I think that occasionally
13 we end up being sidetracked by what is the
14 economic --

15 CHAIRMAN PARRISH: I'm not being
16 sidetracked.

17 MS. CAPORELLI: Well, I'm just saying, I
18 think that what we're talking about is, is the
19 Coconut Grove Playhouse, as has been presented to
20 us, is it eligible for designation in the City of
21 Miami?

22 CHAIRMAN PARRISH: Let me be really clear
23 what I'm saying then. I'm saying to the playhouse
24 board, since the Sunshine Laws do not allow me to go
25 and talk with these -- except in this forum, that

1 being a Groveite for many years and very concerned
2 with the Bahamian section of the Grove and being
3 very con -- friends with most of the restaurateurs
4 on Commodore Plaza, that the solution on this
5 historic property that's eventually gonna evolve is
6 gonna have -- you think you've got a lot of public
7 testimony this time around? There's gonna --
8 believe me, the Grove can turn out in far greater
9 numbers than this.

10 What I'm saying is I think the board's
11 inclined -- from what I understand today, we're
12 gonna designate the entire property and at least
13 that's gonna be -- we're gonna open that up to
14 motion very shortly. But once that's done I'm just
15 saying you have a -- if you're listening to
16 Mr. Appel, this board will work with everyone to
17 come up with the best solution for the community.
18 That's what we're in -- what we're charged to do.
19 But we can't do it in a rush.

20 So that's all I have to say. And I didn't
21 want to -- if Jane was confused -- and I rely on her
22 a lot -- I'm saying that this is a historic property
23 first, and that's what's before us today, but it is
24 the key parcel left in Coconut Grove to anchor our
25 community, and if it's not treated like that, you're

1 not gonna get the support of anyone.

2 So can I have a motion, please, unless
3 there's some more -- Jane, go ahead.

4 MS. CAPORELLI: I just want to piggyback on
5 what Lourdes said about buildings that have had
6 facades restored and the rest of it has gone to
7 whatever. We have the Salvation Army, we have the
8 prison that even though that was a block, to me
9 that -- it's an eyesore. I drive by it every single
10 day. So I think we need to keep that into
11 consideration.

12 My question to you, Andy, is who's supposed
13 to come back to us with this plan? I don't think
14 it's gonna change as far as the designation report
15 goes.

16 CHAIRMAN PARRISH: Right.

17 MS. CAPORELLI: We need to designate, then
18 let the playhouse come to us with the plan.

19 CHAIRMAN PARRISH: Right.

20 MS. CAPORELLI: So I think right now --
21 how -- how are we gonna go slow? If we're gonna
22 designate today or aren't we?

23 CHAIRMAN PARRISH: No, I'm -- I'm waiting
24 for my board to make a motion --

25 MS. CAPORELLI: Okay.

1 CHAIRMAN PARRISH: -- and then we'll vote
2 on it.

3 MR. APPEL: Well, I'd like to let the Judge
4 comment. It's only fair.

5 MR. CHAVIES: Thank you very much. Just
6 one -- one small point with reference --

7 CITY ATTORNEY: Mr. Chairman, prior to
8 Judge Chavies speaking, it --

9 CHAIRMAN PARRISH: No, I -- it might -- I
10 believe as chairman I can take -- have him come back
11 and make -- I can reopen the public testimony.

12 CITY ATTORNEY: You may. That's it. I'm
13 asking you --

14 CHAIRMAN PARRISH: Thank you very much.

15 CITY ATTORNEY: -- if you are reopening the
16 public hearing.

17 CHAIRMAN PARRISH: Yes, Judge.

18 MR. CHAVIES: Thank you very much. And my
19 only concern is with regard to your own
20 representative who has said that the parking lot
21 area should not have been part of the designation
22 plan. Can we request that that be deferred at least
23 and she have the opportunity to revise it so that
24 it's before you in the fashion that it should be? I
25 mean, that's what I've heard her say; that it

1 shouldn't have been in there and it doesn't have
2 historical significance.

3 CHAIRMAN PARRISH: Well, here's what I
4 think is -- I think we can have a motion -- I think
5 the board members are well aware of that issue --

6 MR. CHAVIES: Okay, sir.

7 CHAIRMAN PARRISH: -- and they can
8 either -- they can either vote up or down on that
9 motion, and if it doesn't pass, then we'll have
10 another motion.

11 MR. APPEL: Well, let's -- I do have a --
12 because Sarah's not --

13 MS. CAPORELLI: (Inaudible) designation
14 report?

15 MS. SOLERA: Yes, it is. It's part of the
16 tax.

17 MS. CAPORELLI: Is it?

18 MS. SOLERA: But she's describing the whole
19 parcel of land --

20 CHAIRMAN PARRISH: The whole thing.

21 MS. SOLERA: Is the parcel of land, the
22 folio described, the parking lot?

23 MS. CAPORELLI: Well, then, we can take the
24 parking lot out, if that's the case.

25 MR. APPEL: What was the mechanics last

1 time when we dealt with the Miami Herald? They
2 came, we designated the parking lot was included,
3 then somebody -- did they come back then?

4 MS. SOLERA: It was the Boulevard Shop.

5 MS. CAPORELLI: It was the Boulevard Shop.

6 MR. APPEL: The Boulevard --

7 MS. SOLERA: But they identified the
8 portion that they wanted out and it was -- you
9 know --

10 MR. APPEL: So the -- it's the portion of
11 the building --

12 (Inaudible).

13 MR. APPEL: -- so the -- but Mike Ritter
14 came back to us, affirm -- they affirmatively came
15 back to us and said --

16 MS. SOLERA: It was a modification, wasn't
17 it?

18 MS. CAPORELLI: It was a modification --

19 MS. SOLERA: It was a modification to the
20 designation to take out --

21 CHAIRMAN PARRISH: After we designated the
22 (inaudible).

23 MS. SOLERA: After we had already
24 designated it.

25 MR. APPEL: Okay. Who instituted the

1 modification? The tax -- the owner did, right?

2 MS. CAPORELLI: No, no, no, no, no. It was
3 not a modification after we designated. We -- they
4 brought it to us, they asked for more time to do
5 another report, and then we took it out. I don't
6 think it -- I think the second time it came
7 around --

8 MS. SOLERA: I think you're right.

9 MS. CAPORELLI: -- it was part of -- it was
10 not part of the building. It's a piece of the
11 building and the parking lot in the Boulevard
12 Shops.

13 CHAIRMAN PARRISH: Right.

14 MR. APPEL: Judge, I don't know if you want
15 to answer this -- and, obviously, you don't need me
16 to tell you, you don't have to -- does it make a
17 difference to the board whether -- in terms of
18 accepting designation of the building, whether we
19 include or not include the parking lot?

20 MR. CHAVIES: It does.

21 MR. APPEL: I mean if you resolve it's
22 gonna go to the city, then it doesn't matter to us,
23 to the commission, I mean.

24 MS. CAPORELLI: Yes, (inaudible).

25 MR. CHAVIES: No, no, no, but I think

1 procedures -- procedures are important, and we
2 should do the right thing. And I think the right
3 thing is to designate that which has historical
4 significance. And that's the building. It's not
5 the parking lot. And we have heard the report from
6 Janus themselves who say that it was a mistake, that
7 it shouldn't have been in there and that it does not
8 have that historical significance to be considered
9 today. And if there's any question, at the very
10 least, we just ask to defer on it, that portion of
11 it.

12 MR. APPEL: My question, then, is, you
13 know, you want the board -- and I can understand
14 that -- to rely on Janus' report and take it
15 seriously in terms of the parking lot issue. Are
16 you, likewise, willing to do that and accept
17 designation of the entire footprint of the building,
18 including the 1970's additions?

19 MR. CHAVIES: No, I'm not gonna -- no, I'm
20 not gonna do that. My position is what it is. I
21 fully respect you and everyone who has spoken here
22 today and I understand those positions. But we took
23 a position. We're gonna maintain that position.
24 It's part of the record. We just think that with
25 regard to this issue that's before us now that it

1 should be done correctly, and if there was a
2 mistake, then it should be resolved.

3 CHAIRMAN PARRISH: But we have a procedural
4 problem, though. If the board were so inclined to
5 exclude the parking lot, we don't have a legal
6 description, we don't have any way to designate --

7 Right now we have a legal description,
8 correct, Ellen that's in the proposal that includes
9 the parking lot, correct?

10 MS. UGUCCIONI: Right.

11 CHAIRMAN PARRISH: And so, therefore, if we
12 were to just right now just say we're gonna exclude
13 the parking lot, I'm not sure we would even know
14 what we're -- we know conceptually what we're
15 talking about, but as far as a motion that is in
16 correct order, I'm not sure, unless we can get you
17 to agree --

18 MR. CHAVIES: I understand.

19 CHAIRMAN PARRISH: And again, this is a --
20 this is a whole other can of worms. And that was my
21 question about -- for the other persons who spoke,
22 including Ellen and staff. Are we designate -- are
23 we jeopardizing the designation by including a
24 portion of the --

25 FEMALE SPEAKER: Excuse me --

1 CHAIRMAN PARRISH: I would like to revisit
2 that. And if Rich Heisenbottle is here, I'd like
3 his opinion and, also, Kathleen's opin --

4 MS. SOLERA: They have to come -- they have
5 to come --

6 CHAIRMAN PARRISH: And, also, Kathleen's.
7 And then --

8 MS. SOLERA: Okay, can I make a comment?

9 CHAIRMAN PARRISH: Yes.

10 MS. SOLERA: Okay, if we designate the
11 entire building with or without the parking lot,
12 they still have to come back to us because that
13 building that's gonna be added to it, it's gonna be
14 next to it and they're gonna renovate the new
15 building, unless they're developing a whole brand
16 new piece of property that does not have anything to
17 do with the existing playhouse. That would be their
18 advantage, if the parking lot is not included,
19 because they don't have to come see us.

20 CHAIRMAN PARRISH: Let me ask the City
21 Attorney a question on that issue. If we're -- if
22 we're to pass the whole designation today as it now
23 stands, this is appealable to who and when?

24 MALE SPEAKER: (Inaudible).

25 CHAIRMAN PARRISH: What happens -- if we

1 were to pass it today, including the parking lot,
2 including the designation as presented and the
3 applicant -- I mean, and the owner of the property
4 chose to appeal it, they appeal it to the City
5 Commission, correct?

6 CITY ATTORNEY: Yes, but it depends on what
7 they want to appeal.

8 MS. SOLERA: Right.

9 CITY ATTORNEY: So they could appeal it to
10 the City Commission or they could take it directly
11 to the appel -- Third Circuit Court.

12 CHAIRMAN PARRISH: So my next question is,
13 let's just assume for sake of argument it was
14 appealed and one of the grounds for -- for appealing
15 it is that a parking lot that the city -- that Ellen
16 rec -- on -- in our testimony said is not historic,
17 was included in the designation and they appealed
18 that to the City Commission. Would -- could the --
19 would -- could the City Commission then divide the
20 property themselves and say, Well, we'll leave the
21 part that's been designated -- the building itself
22 designated historic, but then exclude -- could they
23 do that? And exclude the --

24 MR. SECO: Well, that's --

25 CHAIRMAN PARRISH: -- could they or -- or

1 could they come back and say, No, the whole
2 designation is flawed and, therefore, we're gonna
3 overturn it?

4 CITY ATTORNEY: It would be a flawed
5 designation. The City Commission would either
6 accept or reject the designation.

7 CHAIRMAN PARRISH: The entire designation?

8 CITY ATTORNEY: That's correct.

9 MS. CAPORELLI: But we have -- but we have
10 had -- on Biscayne Boulevard one of the buildings
11 that we did designate the City Commission took a
12 piece of it out and -- I don't know if it was the
13 Gold Coast Pharmacy -- they let it stand with that
14 one piece taken out.

15 MR. APPEL: Building on the east side of
16 the street?

17 MS. CAPORELLI: On the west side of the
18 street.

19 MR. APPEL: West side.

20 MS. UGUCCIONI: Mr. Chairman --

21 CHAIRMAN PARRISH: Go ahead.

22 MS. CAPORELLI: And if (inaudible) were
23 here, it was her -- her --

24 MR. APPEL: Client.

25 MS. CAPORELLI: -- client. But they did

1 take -- the City Commission did take a piece of a
2 designation that we had approved, in its entirety.
3 They took a piece of that building out.

4 MR. APPEL: So I don't think it's all or
5 nothing with the city --

6 FEMALE SPEAKER: No, it's not all or
7 nothing.

8 MR. APPEL: -- because with the Moore
9 Building we designate the interior and the exterior
10 and the City Commission --

11 MS. CAPORELLI: They're not asking for
12 interior.

13 FEMALE SPEAKER: They're not asking for the
14 interior --

15 CHAIRMAN PARRISH: Ellen, would you like to
16 weigh in on this, please?

17 CITY ATTORNEY: Mr. Chairman --

18 MS. UGUCCIONI: Yes, if I could, I'd like
19 to kind of --

20 MS. SOLERA: Wait, wait, wait, wait, wait.
21 One conversation.

22 CHAIRMAN PARRISH: Wait a minute.

23 MR. APPEL: Let our attorney speak.

24 Sorry.

25 CHAIRMAN PARRISH: Yes, Miss City

1 Attorney.

2 CITY ATTORNEY: If appealed to the City
3 Commission and the owner voluntarily agreed to sever
4 a portion of the property, which I believe happened
5 in the situation that you described, then, in fact,
6 the compromise could be reached at the City
7 Commission. But it would be with a voluntary
8 proffer by the owner.

9 MR. APPEL: Uh-huh.

10 CITY ATTORNEY: So I do believe that the
11 City Commission would either accept your designation
12 or reject your designation unless there was a
13 voluntary agreement --

14 MS. SOLERA: From the owner.

15 CITY ATTORNEY: -- to --

16 CHAIRMAN PARRISH: Okay, so that -- that
17 accomplishes that. If we went to -- if the board
18 chose to go that direction, that would be a good
19 re -- would be a result that we could envision might
20 be happen --

21 MS. CAPORELLI: I'm not sure what direction
22 you mean.

23 CHAIRMAN PARRISH: The applicant is also
24 saying, Ellen, that if we --

25 MS. SOLERA: We are the applicant.

1 MS. CAPORELLI: We are the applicant.

2 CHAIRMAN PARRISH: Not -- I'm sorry. You
3 know what I'm talking about. If we were to
4 designate the entire building and then defer
5 designating the parking lot and --

6 MS. SOLERA: And let me stop you before you
7 go --

8 CHAIRMAN PARRISH: At that -- at that
9 point --

10 MS. SOLERA: Let me remind you what the
11 City Attorney just said. The designation has to use
12 the tax folio description. So she would have to --
13 the only way to do that is that -- and that is what
14 the owner -- act with the actual -- what was
15 considered. The actual property edges back in 1927,
16 whatever year it is.

17 MS. UGUCCIONI: May I -- may I just say
18 this because I think I -- I could have started
19 something that I don't want to have and that is that
20 I advocate only designating footprints, which is
21 absolutely not the case. Ordinarily, we talk about
22 a context of setting, and you've heard that a
23 million times, that phrase. And when we do a house,
24 we talk about the whole property because we -- when
25 we talk about a house, we're talking about a front

1 yard that's landscaped and a backyard that has room
2 for people to recreate and so forth. So for me to
3 say that only the house, the footprint of the house,
4 should be designated would be absolutely incorrect,
5 and I certainly don't want to convey that.

6 In this particular matter this is my
7 thought process. If you look at all of the original
8 newspaper clippings and the historical photographs,
9 you will see that the building is very
10 self-contained. It has -- self-contained. It has
11 wings on Charles and it has a wing on Main, which is
12 a little bit shorter than that which is on Charles.
13 Next to it there was a blank space. And then there
14 was the building that's been described as 1910, but
15 my records show 1925. The two-story building. It
16 did not have a parking lot next to it at that time.
17 It -- the parking in 1926, we didn't have off street
18 parking requirements and so forth for commercial
19 buildings, so, you know, it was catch as catch can,
20 and people didn't have, I guess, that many private
21 automobiles, so -- so the point is that the context
22 for this theater as either a performing arts theater
23 or as a movie house, which it was originally, does
24 not depend on that -- that surface parking lot to
25 give it its history. Does that make sense?

1 FEMALE SPEAKER: Yes.

2 MS. UGUCCIONI: It's not part of its
3 context and, therefore, should not, in my opinion,
4 be included. And I would suggest to you that there
5 probably would need to be a new legal description
6 presented to you if you, in fact, bought this line
7 of reasoning.

8 CHAIRMAN PARRISH: So, could you summarize
9 your position?

10 MS. UGUCCIONI: Yes. I believe that only
11 the actual footprint of the building, that which is
12 shown on the original Sanborn map which has a
13 little -- a little, tiny bit of land -- I couldn't
14 tell you how much that is, but what's evident on
15 that Sanborn map, the original building, be
16 considered for designation. And that the parcel
17 adjacent on the north, which contains the parking
18 lot, be excluded from this designation.

19 MR. APPEL: What about those 1970's
20 additions that have connected?

21 MS. UGUCCIONI: Well, there again, they are
22 tangential. They connect to. They're integral to
23 the building. So it's like we -- we review that
24 as --

25 MR. APPEL: But are you saying that they

1 should be part of --

2 MS. UGUCCIONI: They should be part, yes.

3 MR. APPEL: Okay, because you said
4 original. That's what threw me.

5 MS. UGUCCIONI: Oh, yes. I'm sorry.

6 MR. APPEL: Okay.

7 MS. UGUCCIONI: Well, yeah, that's what I
8 mean because we evaluate the integrity of the
9 building and if we had so much alteration occur in
10 the '70s, say for example, you know, we wouldn't
11 designate it. But these are in the back, they're
12 subordinate to the main building and so forth, so we
13 don't feel that it affects the integrity of the
14 building.

15 MR. APPEL: So are we allowed to defer
16 this -- not saying we all -- are we allowed to defer
17 this and allow the taxpayer to come back with a
18 legal survey?

19 MS. SOLERA: Yes, we are the applicant. We
20 are the applicant.

21 MR. APPEL: Well, the owner I should say.
22 The owner of the property come back and request --
23 well, who would do the legal -- who would have to do
24 the legal survey? I mean, you mentioned about a --

25 MS. SOLERA: We are the -- oh --

1 MR. APPEL: I mean, we're leaning towards
2 doing the whole site of -- I mean, I'd like to try
3 and work with you, but I'm trying to figure out a
4 way to do this because right now we only have before
5 us as -- you know, the legal description of --
6 including the parking lots.

7 MR. CHAVIES: I understand. And I --

8 MR. APPEL: We can do -- I don't think we
9 can do an up or down vote on just the building
10 footprint, as Ellen recommends, so our choices seem
11 to be either designate the whole thing with the
12 parking lot, don't designate the whole thing with
13 the parking lot or defer the item and have you come
14 back with a -- what, a legal description of just the
15 building?

16 CHAIRMAN PARRISH: And, actually, one more
17 question for the attorney --

18 MS. SOLERA: With a description of what the
19 piece of property that was owned at the time that
20 the theater was built. For all we know it's, you
21 know, five feet that way and ten the other and 25
22 the other way. I don't know. Not just the
23 footprint.

24 CHAIRMAN PARRISH: Right. My preference is
25 to go --

1 MR. APPEL: Right. Same as what we did
2 with (inaudible).

3 CHAIRMAN PARRISH: Right.

4 MR. APPEL: I'm sorry.

5 CHAIRMAN PARRISH: I'm just wondering if --
6 if we can today -- let's just pass approval of the
7 designation of the footprint of the building and
8 defer -- defer the designation of the parking lot of
9 the building --

10 MS. CAPORELLI: I think you can leave --

11 CHAIRMAN PARRISH: -- and when we have
12 enough of a legal description or enough of a --

13 MS. SOLERA: As -- I think as the City
14 Attorney pointed out, we can't legally do that.

15 MR. APPEL: Can we do that?

16 CHAIRMAN PARRISH: That's what I want to --
17 that would be my preference.

18 MS. SOLERA: Well, that's not what's here
19 to the board.

20 CHAIRMAN PARRISH: No, I understand, but I
21 would like the City Attorney to say -- can -- and,
22 also, if -- if the party -- if the affected party,
23 which is the owner, could agree that the legal
24 description has to be developed so that that is not
25 a technical flaw in our designation, if we

1 designated the entire structure but deferred
2 designating the parking lot until the development of
3 a legal description can be had, is that
4 permissible? Can we then designate the whole
5 playhouse today?

6 CITY ATTORNEY: Without an articulated
7 legal description your designation would not be a
8 designation.

9 MS. SOLERA: Right, you can't do it --

10 CITY ATTORNEY: It would be a statement of
11 intent.

12 CHAIRMAN PARRISH: All right, then we're
13 pretty much -- we're pretty much -- that would be my
14 preference for a lot of different reasons. Mainly
15 that then we would know that at least the playhouse
16 itself had been completely designated, the actual
17 structure itself, and it would less likely -- you
18 know, it's less of a target for -- on appeal.

19 MS. SOLERA: It's not gonna be a target.
20 The target is the parking lot because, low and
21 behold, it's a nice parcel of land that, oops, I can
22 sell for a lot of money to then renovate the par --
23 the playhouse. One option. There's many options.
24 There's many options.

25 MR. MARSTON: Mr. Chairman, can I --

1 CHAIRMAN PARRISH: Mr. Marston. You've
2 been remarkably quiet, Jerry.

3 MR. MARSTON: I've been trying.

4 You and I, Mr. Chairman, struggle at times
5 when we have people, individual owners, of historic
6 structures come in and we get concerned about what
7 we tell people to do or how to do it or whatever. I
8 mean, we like to make sure that the people who, in
9 fact, are the owners of property are equally
10 represented. The thing that I find amazingly
11 different about this one is that the owner of this
12 site, although there is an LLC -- I guess that is
13 technically the owner -- this is now public. Okay?
14 This is a public site. And let's kind of treat it
15 as though it's a public site. And from that point
16 of view I'm more than willing to kind of walk down
17 the path and say, Okay, let's throw the parking lot
18 in and let's pretend -- you know, it's a big public
19 space, and let's deal with it as -- as public. It's
20 a historic building.

21 Now, certainly things are gonna happen, you
22 know, on those parking lots, but if we are in a
23 position where we can review them in context of the
24 historical building, I think the public and we would
25 all be better served in the long run.

1 Thank you.

2 (Applause)

3 CHAIRMAN PARRISH: More comments from
4 the --

5 MR. MARSTON: I'll make the motion.

6 MS. SOLERA: Make the motion. I agree with
7 you, Jerry.

8 CHAIRMAN PARRISH: Go ahead, Jerry.

9 MR. MARSTON: I move that we accept the
10 preservation officer's recommendation and the board
11 adopt the attached designation report of the Coconut
12 Grove Playhouse with -- and do I have to read those
13 in?

14 MS. SOLERA: Three --

15 CHAIRMAN PARRISH: Yes, go ahead and read
16 them in, Jerry, please.

17 MS. SOLERA: Three and five, yes.

18 MR. MARSTON: The three --

19 MS. SOLERA: Five and six. It's on Page
20 12.

21 MR. MARSTON: 12. Because the structure
22 exemplifies the historical, structural, political,
23 economic and social trends of the community. It
24 also embodies those distinguishing characteristics
25 of an architectural style or period or method of

1 construction. And is an outstanding work of a
2 prominent designer or builder.

3 MS. SOLERA: Second.

4 CHAIRMAN PARRISH: It's been moved and
5 seconded?

6 And, yes, can we have a role call, please?
7 And, Board, if you -- feel free to make any comments
8 as you vote.

9 FEMALE SPEAKER: Gary Appel.

10 MR. APPEL: With some hesitation regarding
11 the parking lot, yes, only because the option that
12 we all prefer is not before us right now and I, for
13 one, am willing to rehear it if this is brought back
14 again on the parking lot with a proper legal
15 description to separate it. But, yes, for now.

16 FEMALE SPEAKER: Timothy Barber.

17 MR. BARBER: Yes. We have to protect the
18 integrity of historic landmarks, even
19 noncontributing structures that are around it, so I
20 agree that we need to designate the whole structure
21 and the parcel of land.

22 FEMALE SPEAKER: Jane Caporelli.

23 MS. CAPORELLI: Yes.

24 FEMALE SPEAKER: Miguel Seco.

25 MR. SECO: Yes.

1 FEMALE SPEAKER: Jerry Marston.

2 MR. MARSTON: Yes.

3 FEMALE SPEAKER: Andy Parrish.

4 CHAIRMAN PARRISH: I'd like to reiterate
5 what Mr. Appel just said and then what I said
6 earlier about going slowly on this. I'd prefer
7 to -- you know, in a way to defer the parking lot
8 issue until later, but I think our hands are tied
9 because of the way it's been presented. My clear
10 intent is to vote for the complete designation of
11 the structure itself, of all the sides of the
12 structure. I know there's gonna be something done
13 with the parking lot and I'm just hoping that all
14 the parties involved, all the Grove -- Grovites will
15 work with the playhouse to get the best possible
16 result on this impo -- on this incredibly important
17 property.

18 So, with that said, I'd like to say yes,
19 please.

20 FEMALE SPEAKER: Enid Lorenzo.

21 MS. LORENZO: Yes.

22 FEMALE SPEAKER: Lourdes Solera.

23 MS. SOLERA: Yes.

24 CHAIRMAN PARRISH: That's unanimous. It's
25 been designated. Thank you all for coming.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(Applause)
(Thereupon, the meeting was concluded.)

C E R T I F I C A T E

1
2
3
4 STATE OF FLORIDA)
5 COUNTY OF BROWARD)
6

7 I, TINA LYNN SOTO, a Court Reporter, do
8 hereby certify that I was authorized to and did
9 transcribe the foregoing videotaped board meeting;
10 and that the foregoing pages, numbered from 1 to 72,
11 inclusive, are a true and correct transcription of
12 said board meeting.

13 I further certify that I am not a relative,
14 employee, attorney, or counsel of any of the
15 parties, nor am I a relative or employee of any of
16 the parties' attorney or counsel connected with the
17 action, nor am I financially interested in the
18 action.

19 The foregoing certification of this
20 transcript does not apply to any reproduction of the
21 same by any means unless under the direct control
22 and/or direction of the certifying reporter.

23 Dated this 15th day of October, 2005.
24
25

TINA LYNN SOTO