

1 MR. COLLER: So we'll worry about it in
 2 twenty years.
 3 MR. SALMAN: I hope to see you renew it.
 4 CHAIRMAN AIZENSTAT: Yeah.
 5 I mean, I have no concerns, but the only
 6 thing which I would ask is, if something could
 7 be put there that there wouldn't be trash
 8 outside of that area, because I've noticed, in
 9 a lot of these types of businesses, it just
 10 automatically generates trash outside from
 11 people having cortaditos, cafecitos, and they
 12 just --
 13 MR. FIGUEREDO: 100 percent. I couldn't
 14 agree with the Board any more. We're also
 15 using -- the manufacturer that was used to put
 16 all of the accessories, the benches, the
 17 kiosks, is called Nettie. They're out of
 18 Italy. So I'm going to have two Nettie trash
 19 cans right outside, and we are putting in place
 20 the first brand ambassadors of Sanguich. So
 21 I'm going to make sure that I have an attendant
 22 outside, greeting everyone and making sure
 23 people feel good, and the place is clean.
 24 CHAIRMAN AIZENSTAT: Thank you.
 25 MR. FIGUEREDO: Of course. Thank you.

25

1 CHAIRMAN AIZENSTAT: I have no other
 2 comments.
 3 Is there a motion?
 4 MR. BEHAR: I'll make a motion, and I
 5 welcome any friendly amendment to the motion
 6 for approval, if you want to put in to have
 7 trash cans.
 8 CHAIRMAN AIZENSTAT: I don't know if it's
 9 necessary to say for the trash cans. The way I
 10 see it, I like what Chip said, for the
 11 recommendation --
 12 MR. BEHAR: Yeah, but that's a separate.
 13 This is not part of --
 14 MR. COLLER: We can make, certainly, as a
 15 condition -- well, with regard to the trash
 16 cans, if you want to make them as a condition,
 17 to have an appropriate trash receptacle, that's
 18 an appropriate condition. And if you want to
 19 add, as part of your recommendation, that the
 20 City Commission consider making these walk-up
 21 windows as a permitted use under certain
 22 circumstances and not required to be a
 23 conditional use in a public hearing, you can
 24 make that as part of your recommendations, if
 25 that's the case.

26

1 MR. BEHAR: I'll make the motion for
 2 approval with those two recommendations. And
 3 the parking is one that I don't know if we
 4 could make that a recommendation. That's
 5 something that the Parking Director has to get
 6 involved.
 7 MR. SALMAN: I suggested it. I didn't say
 8 it was a requirement. Mainly, a suggestion to
 9 help alleviate the traffic.
 10 MR. BEHAR: I like the idea, because then
 11 you dedicate two spaces for their use. I think
 12 that's a good -- you know, a suggestion, that
 13 if that could be incorporated, goes along with
 14 it.
 15 CHAIRMAN AIZENSTAT: We have a motion. Is
 16 there a second?
 17 MR. SALMAN: Second.
 18 CHAIRMAN AIZENSTAT: We have a second by
 19 Javier.
 20 Any other discussion? No?
 21 Call the roll, please.
 22 THE SECRETARY: Javier Salman?
 23 MR. SALMAN: Yes.
 24 THE SECRETARY: Chip Withers?
 25 MR. WITHERS: Yes.

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1 THE SECRETARY: Robert Behar?
 2 MR. BEHAR: Yes.
 3 THE SECRETARY: Sue Kawalerski?
 4 MS. KAWALERSKI: Yes.
 5 THE SECRETARY: Felix Pardo?
 6 MR. PARDO: Yes.
 7 THE SECRETARY: Eibi Aizenstat?
 8 CHAIRMAN AIZENSTAT: Yes.
 9 MR. FIGUEREDO: Thank you.
 10 CHAIRMAN AIZENSTAT: You're welcome.
 11 MR. BEHAR: Next meeting, bring some
 12 samples. After the approval, you need to bring
 13 some.
 14 MR. FIGUEREDO: Thank you.
 15 * * * * *
 16 CHAIRMAN AIZENSTAT: Let's go ahead and
 17 call the meeting back to order. When Javier
 18 comes, he can join us. We're going to jump
 19 over to E-5.
 20 MR. COLLER: Item E-5, an Ordinance of the
 21 City Commission providing for text amendments
 22 to Article 2, "Zoning Districts," Section
 23 2-201, "Mixed Use 1, 2 and 3 (MX1, MX2 and MX3)
 24 Districts" and Article 3, "Uses," Section
 25 3-209, "Live work minimum requirements," of the

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1 City of Coral Gables Zoning Code to allow a
2 reduction of storefront transparency on
3 frontages facing single-family and multi-family
4 uses, providing for repeater provision,
5 severability clause, codification, and
6 providing for an effective date.

7 Item E-5, public hearing.

8 CHAIRMAN AIZENSTAT: Thank you.

9 MS. GARCIA: Jennifer Garcia, City Planner.

10 So there's two parts to this proposed text
11 amendment for the Commission. The first one
12 is, for all mixed-use districts, that if
13 they're facing a single-family or a
14 multi-family use, as a way to transition to
15 those uses that have less transparency -- when
16 I say, "Transparency," I mean, glass,
17 storefront glass. It's a way to transition to
18 those kinds of uses, there would be a required
19 windowsill between 18 inches and 24 inches, to
20 kind of soften that look. I think there's a
21 PowerPoint slide that was sent to Coral Gables
22 TV, so I can kind of illustrate that. It's
23 also found on Page 2 of the Staff report. If
24 you want to show that PowerPoint slide. Yes.

25 So the top one is showing a windowsill,

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1 which lessens the amount of glass that's
2 showing, that will be fronting single-family or
3 multi-family uses, and then the bottom image is
4 showing glass, you know, from the top to the
5 bottom of the storefronts, which is showing
6 more transparency. So that would still be
7 allowed and required for any storefront in our
8 mixed-use districts, but when you're facing
9 multi-family or single-family, they will be
10 required to have a windowsill.

11 The next change -- the last change, there's
12 only two -- is for live work units. Since a
13 lot of these live work units are embedded and
14 within our multi-family districts and
15 neighborhoods, less transparency seems to be
16 needed, because a lot of the storefront is kind
17 of harsh when you're facing a multi-family use.
18 So when live work goes for approval, for the
19 Board of Architects, they're allowed to reduce
20 that transparency requirement from the minimum
21 of 60 percent to 40 percent. 40 percent is
22 because that's the minimum requirement for any
23 multi-family ground floor transparency
24 requirement.

25 You can take off the PowerPoint slide.

30

1 Thank you.

2 So those are the two proposed amendments
3 right now. That's it.

4 MR. BEHAR: You're proposing to reduce --

5 MR. COLLIER: Is your microphone on?

6 MR. BEHAR: Sorry. There we go.

7 You're proposing to reduce from 60 percent
8 to 40 percent?

9 MS. GARCIA: Minimum, yes, if the Board of
10 Architects determines that it's needed for the
11 neighborhood, when you're facing single-family,
12 multi-family.

13 MS. KAWALERSKI: Minimum or maximum?

14 MS. GARCIA: Minimum, because that's the
15 minimum in multi-family right now.

16 MR. BEHAR: Yeah.

17 MS. GARCIA: So, for example, MF2, which
18 allows live work units, the minimum ground
19 floor transparency requirement is 40 percent.
20 They can always have more, but usually you
21 don't want to have too much transparency,
22 because people are living behind those windows.
23 So the intent is that the live work would face
24 the same, you know, transparency glazing
25 requirement that's across the street.

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1 MS. KAWALERSKI: But you want 40 percent or
2 less?

3 MS. GARCIA: No, minimum. So it can be
4 more glazing, because you want to have at least
5 some windows and glazing facing the street,
6 because you feel more comfortable as a
7 pedestrian knowing there's windows facing where
8 you're walking. You have eyes on the street.

9 CHAIRMAN AIZENSTAT: If I may, let the
10 record show that Javier's back with us.

11 MR. WITHERS: So what is the reasoning
12 behind -- what's the philosophy behind this? I
13 mean, why -- what's driving all of this?

14 MS. GARCIA: So there's been some recent
15 proposed projects that have a lot of glazing, a
16 lot of glass facing multi-family. I don't
17 think any of them are facing single-family, but
18 multi-family. So the concern is from the
19 residents, and they reached out to Members of
20 the Commission, that that requirement of 60
21 percent for the ground floor storefront or live
22 work units is too harsh, it's too commercial
23 looking.

24 So the intent here is to make it look less
25 commercial looking, so it looks like it's more

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1 of a neighborhood.

2 MR. WITHERS: Okay. So this is a really
3 stupid question. If someone doesn't want to
4 live there, where it looks too harsh and too --
5 like why don't they just live somewhere else?

6 MS. GARCIA: I think it's because they
7 already live there.

8 MR. WITHERS: So this is for a new
9 development coming in somewhere --

10 MS. GARCIA: Uh-huh. Correct. Yes.

11 MR. WITHERS: And why is it too harsh,
12 because it's too bright or -- I mean --

13 MS. GARCIA: It looks too commercial.
14 That's the verbiage I've been receiving, that
15 it looks too commercial. They don't feel
16 comfortable, that it looks like it's too
17 commercial. It should be on Miracle Mile or
18 some major retail street and not within their
19 neighborhood. So, remember, live work is
20 something you can have in MF2, throughout the
21 North Ponce area, surrounded by multi-family
22 zoning.

23 MR. WITHERS: So if I'm a commercial owner
24 of a building or a store and I want more glass,
25 I want more -- am I being denied something?

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1 MR. WITHERS: It's not single-family, it's
2 Downtown living, basically, right?

3 MS. GARCIA: Well, no. We have MX1, 2 and
4 3 throughout our entire city. So we have some
5 MX1 that's abutting and facing the
6 single-family.

7 MR. SALMAN: Where?

8 MR. WITHERS: Where is MX3 facing
9 single-family?

10 MS. GARCIA: MX1. MX1.

11 MR. WITHERS: Oh, MX1.

12 MS. GARCIA: Yes. MX3 -- the thing is
13 that, all of these requirements apply to all of
14 those mixed-use districts, MX1, MX2 and MX3.

15 MR. PARDO: So MX1 is the old duplex
16 zoning?

17 MR. WITHERS: Yeah.

18 MS. GARCIA: No. Duplex is MF1,
19 Multi-Family 1.

20 MR. PARDO: MF1.

21 MS. GARCIA: Yes.

22 MR. PARDO: I have a question, Mr. Chair.

23 CHAIRMAN AIZENSTAT: Yes.

24 MR. PARDO: In my opinion, with all due
25 respect, for me, what has a greater impact on

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1 MS. GARCIA: No. This would really apply
2 more for new construction.

3 MR. BEHAR: Yeah, but if you --

4 CHAIRMAN AIZENSTAT: You are being denied.

5 MR. PARDO: Yes, a hundred percent.

6 MS. GARCIA: If you're facing single-family
7 or multi-family?

8 MR. WITHERS: No. If I'm building
9 something, and I want to put more glass, just
10 through my design, and I can't now, I'm being
11 denied the opportunity to put more glass.

12 MR. PARDO: Yeah.

13 MS. GARCIA: If you're facing multi-family
14 or single-family uses.

15 MR. WITHERS: Yeah. Yeah. I mean, based
16 on this.

17 MS. GARCIA: Yes. This is more of --

18 MR. WITHERS: Someone is being affected.

19 MS. GARCIA: The intent of this is to
20 protect the neighbors that are facing these
21 commercial properties.

22 MR. WITHERS: And this is in commercial
23 areas, not in residential areas?

24 MS. GARCIA: The MX2 -- sorry, the text
25 amendment for the windowsill --

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1 residential is our lack of control of exterior
2 lighting of those new commercial projects, that
3 look like they're out of Las Vegas, they look
4 like they're part of a runway coming into MIA.
5 You could see it across -- you know, across the
6 City. There's no requirement to come up with a
7 plan, where people can do something nice, and
8 still light their buildings in such a way where
9 it's not as glaring and offensive, especially
10 to the residential areas.

11 I mean, I think that that has a much
12 greater positive impact, if that could be
13 honed, where it could be codified in such a way
14 that -- you know, through foot-candles,
15 studies, through -- you know, to accentuate the
16 buildings, but still in a subtle and nice way.
17 Because the way I see the City, it has changed
18 in many ways, but the lighting is just -- you
19 can't turn it of, and those people that live
20 there, they go to sleep, and they get up to go
21 to work, and they bought a single-family home,
22 and now they built a new building in front.
23 It's like staring at those bright lights up
24 there. Try that for a whole night. That's not
25 good.

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1 I think it would be better, to have more of
2 an impact on something along those lines, than,
3 you know, possibly taking away the property
4 rights of someone that has a commercial
5 building, that needs a storefront, in the
6 commercial areas, under --

7 MR. BEHAR: And by -- you're right, by
8 restricting the glass area on a commercial,
9 you're minimizing the visibility into the
10 space. I agree with you on the lighting. I
11 think that's going to be a way to --

12 MR. PARDO: You know, we've done lighting.
13 We use consultants. We make sure that it's
14 subtle, but nicely done, and I'm sorry, but no
15 one at the City has any control, because
16 there's not one ordinance about that.

17 MS. KAWALERSKI: What's the limit on the
18 first floor height in any MX project?

19 MS. GARCIA: The limit? There's not a
20 limit. There's a minimum of fifteen feet.

21 MS. KAWALERSKI: Pardon me?

22 MS. GARCIA: A minimum of fifteen feet.

23 MS. KAWALERSKI: A minimum?

24 MS. GARCIA: Yeah. There's no maximum.

25 MS. KAWALERSKI: There is no maximum. So

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1 parking garage next to the police station. I
2 think they have glass all of the way down.

3 CHAIRMAN AIZENSTAT: Correct, but we've got
4 to remember that we're here because there are
5 residents that have spoken to the City, that
6 would like to soften the areas that abut.

7 MS. GARCIA: Right.

8 CHAIRMAN AIZENSTAT: And there may be other
9 ways to do that -- I'm not saying there are
10 not -- but this is the proposition that's
11 coming before us.

12 MS. KAWALERSKI: Well, point well-taken,
13 and I agree with the lighting. And what about
14 landscaping in front of it, as a buffer?

15 MR. COLLER: Wait. Wait. I think -- I
16 think your mike might not be on.

17 MS. KAWALERSKI: I mean, a landscape
18 buffer, it makes a lot more sense than, you
19 know, putting this artificial 24-inch thing.

20 MS. GARCIA: So if they're at the zero foot
21 lot line, having landscape is difficult to
22 accommodate, because it would require some kind
23 of covenant in the right-of-way to allow some
24 kind of planters or something on the sidewalk.
25 There are areas in our City that we don't allow

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1 if something is zoned for 45 feet, they could
2 have one story, it's 45 feet, right?

3 MS. GARCIA: Sure. Yeah.

4 MS. KAWALERSKI: So what does a 24-inch
5 thing do, when all of the rest of is pretty
6 much, you know, the sky is the limit in glass?
7 What does that achieve?

8 MS. GARCIA: Well, I mean, I've never seen
9 even proposed a 45-foot tall ground floor,
10 but --

11 MS. KAWALERSKI: But if I had 45 feet and
12 if I'm going to just deduct the 24 inches for
13 that little thing that I have to do, and then
14 I've got all of this glass above it, does that
15 make any sense?

16 MS. GARCIA: No, but, again, I've never
17 seen anyone waste their amount of FAR they have
18 for a property to do a massive ground floor --

19 MS. KAWALERSKI: I understand, but this
20 just limits me from building glass -- floor to
21 ceiling glass, right?

22 CHAIRMAN AIZENSTAT: That is correct, in
23 commercial.

24 MS. KAWALERSKI: Yeah, in an MX project.

25 MR. PARDO: The City just built their

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1 planters in the sidewalk, because they dirty
2 the sidewalk or pavers or whatnot.

3 I think there are some instances that they
4 use planters for meeting the open space
5 requirement, but there's not a requirement to
6 require some kind of landscape in the front. I
7 think we would want to limit that, more or
8 less -- depending on the location of it,
9 because you still want to have visibility into
10 the storefront. So you don't want to have
11 landscape covering the store itself. You just
12 want to limit the amount of light coming out,
13 the amount of glazing, and soften the facade.

14 MR. BEHAR: Jennifer, a quick question.

15 MS. GARCIA: Uh-huh.

16 MR. BEHAR: It says here that the text
17 amendment was approved by -- at City Commission
18 on December 12th for First Reading already.

19 MS. GARCIA: Yes.

20 MR. BEHAR: If it went to the Commission
21 already, why are we --

22 MS. GARCIA: It's part of the process, your
23 recommendation to go to the Commission.

24 CHAIRMAN AIZENSTAT: So we're -- so, first,
25 it goes to Commission for First Reading and

40

1 then comes to the Planning and Zoning --
2 MS. GARCIA: Typically, it goes to the
3 Planning and Zoning Board first. However, some
4 Commissioners requested that it go to the
5 Commission first, I guess, the discussion, that
6 they take a vote at First Reading, and then
7 comes back to Planning and Zoning.

8 MR. PARDO: But I would like to see
9 examples, because I think that Staff --

10 CHAIRMAN AIZENSTAT: Could I ask you to
11 speak into the mike.

12 MR. PARDO: I'm sorry.

13 Staff, it would be helpful, to this Board
14 or any Board, to say, well, here's a picture of
15 this, on such and such a street, and here's a
16 picture of that, and look at the residential
17 over here, and this is how it affects it.

18 You know, I'm sorry. I mean, I've done
19 this all of my life, and I'm having a really
20 difficult time seeing this life changing
21 impact, on something like this, compared to
22 other things that could be done. That's my --

23 MR. SALMAN: Through the Chair.

24 CHAIRMAN AIZENSTAT: Yes.

25 MR. SALMAN: I agree with what Felix is

1 the neighborhood, and I think that that will be
2 a much more efficient way to deal with this
3 particular residential issue.

4 Not everything is an architectural
5 solution, because we have architectural
6 solutions through the Board of Architects, and
7 perhaps those considerations need to be
8 outlined more clearly for their -- as part of
9 their review, rather than try to codify
10 something.

11 MS. GARCIA: Well, the issue right now is
12 that if they go to BOA and BOA says, "This
13 looks nice, but are you meeting your Zoning
14 requirement," Zoning says, "No. You're
15 required to have 60 percent transparency and
16 they only have a 40 percent," there's an issue.
17 So this is allowing BOA to opine and say, "Hey,
18 this makes sense in this location. You should
19 be able to have less transparency."

20 MR. SALMAN: But what is the transparency
21 of your proposed example here, what is your
22 percent here?

23 MS. GARCIA: Sorry?

24 MR. SALMAN: You have two examples. You
25 have a maximum glazing for commercial and you

1 saying, Number One. Number Two, we have a
2 Board of Architects. As part of the submittal
3 to the Board of Architects, you have to present
4 who you have across the street, who you have on
5 either side, and the Board of Architects has to
6 take that into consideration, with regards to
7 the approval of the projects. I have no
8 project with the 24 inches along a residential
9 street that's facing -- I think that that will
10 just cut down the window size. It might make
11 it more residential, because it's less
12 storefront to commercial. I can see where
13 there's a logic to that, but we have that.

14 We also have minimum lighting guidelines,
15 okay, for public streets, you know, between one
16 and one and a half foot-candles, and I think
17 part of the problem is that, that light level
18 that they have on their building is bleeding
19 out into the street, because of a misdirection
20 of lighting, and I think that having a lighting
21 standard requirement to -- with regards to
22 residential being perhaps a little bit lower,
23 maybe no more than half a foot-candle at the
24 opposite side of the street, would help them
25 focus the light on their building and not on

1 have windowsill required when facing
2 residential. What is the percent glazing here
3 that you're suggesting -- that you're
4 suggesting?

5 MS. GARCIA: I think we did the
6 calculations here and it was, more or less, 40
7 percent.

8 MR. SALMAN: So, then, if you want to
9 codify that, just say, make it no more than 40
10 percent when facing single-family residential.

11 MS. GARCIA: And that's the second part of
12 amendment, of the live work.

13 MR. SALMAN: Well, that's one, and then the
14 other one is one of lighting. That, you know,
15 you should have no more than, you know, one and
16 a half foot-candles on the sidewalk adjacent to
17 the building, and that it shouldn't bleed to no
18 more than a half foot-candle across the street.

19 CHAIRMAN AIZENSTAT: Javier, what I'm
20 hearing from you and from Felix is that,
21 basically, there should be another layer in
22 addition.

23 MR. SALMAN: I agree, yes.

24 CHAIRMAN AIZENSTAT: Is that --

25 MR. PARDO: Mr. Chairman, you're right.

1 I would defer it.
 2 CHAIRMAN AIZENSTAT: What's your --
 3 MR. PARDO: I would defer it. I think, you
 4 know, to have Staff get a little more time to
 5 do, you know, a more thorough job on how to
 6 reduce the impact on those neighbors.
 7 CHAIRMAN AIZENSTAT: Okay. Because Staff
 8 right now is just -- right now what's before us
 9 is the glazing, nothing more.
 10 MR. PARDO: Right.
 11 CHAIRMAN AIZENSTAT: What you're saying --
 12 so you want to defer it, because that's not
 13 sufficient?
 14 MR. PARDO: I think that's not sufficient,
 15 and I think that, based on what Javier
 16 mentioned, that there are other percentages --
 17 MR. COLLER: I think it would be helpful --
 18 she can't hear you.
 19 MR. PARDO: Sorry. Sorry.
 20 As Mr. Salman said, there are certain
 21 restrictions that should be looked at very
 22 carefully when it comes to glass glazing, in
 23 making sure that we don't also take property
 24 rights away from people, and, therefore, I
 25 think it has to be studied better.

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1 CHAIRMAN AIZENSTAT: So what I'd like to
 2 ask is, before we start that consideration, if
 3 you're done with your presentation, I'd like to
 4 ask Jill if there's anybody -- I don't see
 5 anybody here that's for this.
 6 THE SECRETARY: No.
 7 CHAIRMAN AIZENSTAT: Anybody on Zoom or
 8 another platform?
 9 THE SECRETARY: No.
 10 CHAIRMAN AIZENSTAT: So I'll go ahead and
 11 close it to public comment then.
 12 Felix.
 13 MR. PARDO: I would like to defer this
 14 particular item.
 15 CHAIRMAN AIZENSTAT: You'd like to make a
 16 motion to defer this item.
 17 MR. PARDO: To defer the item. Motion to
 18 defer the item and have Staff study this a
 19 little more thoroughly, to be able to come back
 20 and make sure that we cover the comments that
 21 were provided by this Board.
 22 CHAIRMAN AIZENSTAT: We have a motion. Is
 23 there a second?
 24 MR. SALMAN: I'll second it, but I'd like
 25 to make a friendly amendment.

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1 CHAIRMAN AIZENSTAT: Okay.
 2 MR. SALMAN: That the City take into
 3 account the lighting levels or the lighting of
 4 the building, including light coming from the
 5 storefronts, okay, in their overall
 6 calculations with regards to it, and that they
 7 limit the amount of light on the sidewalk,
 8 adjacent to the building, to be no more than
 9 one and a half foot-candles, which is pretty
 10 standard for parking, okay, but there should be
 11 no more than a half foot-candle bleed across
 12 the street, and so that they have a specific
 13 goal or something like it, to add to this --
 14 MR. BEHAR: What foot-candle is required
 15 for sidewalks?
 16 MS. GARCIA: So, currently, in Section
 17 12-102, the outdoor lighting permitted
 18 standards, the requirement is, outdoor lighting
 19 shall be designed so that any -- sorry,
 20 overspill of lighting onto adjacent properties
 21 shall not exceed half a foot-candle vertical
 22 and half a foot-candle horizontal illumination
 23 on adjacent properties.
 24 MR. SALMAN: That's exactly what I'm
 25 talking about.

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1 MS. GARCIA: So it's there.
 2 CHAIRMAN AIZENSTAT: So that's there now.
 3 MR. SALMAN: But the key here is that you
 4 need to also include the light coming from the
 5 storefront. You know, in street lighting
 6 design, and this is something I actually have a
 7 certain amount of expertise. I did South
 8 Miami's Central Business District, and worked
 9 with them, the City of Miami Beach on Lincoln
 10 Road, and we discovered that most of our
 11 lighting was coming and uncontrolled from the
 12 storefronts. It wasn't the overhead lighting
 13 poles.
 14 When we had the lighting level designed by
 15 the poles, it worked perfectly. When you
 16 turned on the storefronts, we had a huge
 17 disparity of lighting. And so that - -
 18 CHAIRMAN AIZENSTAT: May I ask, how did you
 19 control that? Did you control it by the type
 20 of business within that area? Did you control
 21 it by the glazing that's within the glass?
 22 MR. SALMAN: We did limit the amount of
 23 light that they could spill out from the
 24 storefront, and we evened out the light along
 25 the street, because the problem was that we had

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1 really -- the way your eye works, it's that it
2 works in contrast, and so your eye adjusts to
3 the bright level when you're inside the area of
4 that bright level, and when you go into the
5 dark level, then it's really dark, while your
6 eyes adjusts, and it takes some time for that
7 to happen.

8 And so the perceived darkness is not
9 necessarily dark. It could be a half
10 foot-candle or one and a half foot-candles, but
11 when you have five foot-candles in front of a
12 storefront, that's a problem.

13 MR. PARDO: I would be very surprised if
14 the City kept track of all of the projects that
15 have been built, that the half foot-candle
16 spillage --

17 MR. SALMAN: I understand that. I
18 understand that, but that's really the problem.
19 That's the problem that we have here. And so
20 the way it can be handled, is that you limit
21 the amount of light spill from the storefront
22 after hours, and so there's a minimum lighting
23 you can have, and, then, when you're open for
24 business, you have your lights and that's fine.

25 CHAIRMAN AIZENSTAT: But, Felix, that was

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1 not the way you were talking about the lighting
2 You were talking about the lighting that was
3 coming from the buildings, in general, from the
4 appearance of the building. So now Javier has
5 come in and started to discuss about the
6 lighting that's coming from the storefront.

7 MR. PARDO: Yeah. It's a --

8 CHAIRMAN AIZENSTAT: So your motion was to
9 look at the lighting in the building that's
10 coming from the exterior of the building --

11 MR. PARDO: The exterior lighting and the
12 negative impact on these areas.

13 CHAIRMAN AIZENSTAT: Understood.

14 MR. BEHAR: But there's already language
15 that controls that. Do they have --

16 MR. SALMAN: But they don't have it for --

17 MR. BEHAR: How do you enforce it, is the
18 problem.

19 MR. PARDO: Right now, as you well know,
20 you finish a building, and your electrical
21 engineer provides a certification -- normally,
22 an electrical engineer provides a
23 certification, as of the foot-candle inside of
24 the property, for parking lots or parking
25 garages, et cetera, to comply with Miami-Dade

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1 County, which is what they read.

2 The spillage component of it -- the
3 spillage component of it is more than just for
4 parking areas. The spillage comes from just
5 about everything. You walk outside tonight,
6 and you look across Biltmore Way, and you're
7 going to see -- when you turn around, you'll
8 see that impact. It comes from uplighting,
9 downlighting, inside, outside, and we all know
10 that it's too much, and like I said before,
11 it's the same as looking at those lights up
12 there. It's very difficult to do.

13 And if the premise is, let's provide some
14 relief to the neighbors that are across the
15 street, I don't think it's hard to do.

16 CHAIRMAN AIZENSTAT: Right. But from what
17 I'm understanding from the City, it's that it's
18 already within the Code, as far as the lighting
19 from the outside. If developers are just not
20 adhering to it, then that's something that the
21 City needs to look into, how to enforce it, but
22 for this discussion, what Javier has brought up
23 is the lighting that comes from within the
24 store or within the location.

25 MR. PARDO: I have no problem with the

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1 friendly amendment.

2 CHAIRMAN AIZENSTAT: Okay.

3 MR. COLLIER: Mr. Chairman, since it's
4 already been adopted on First Reading, might it
5 be better to consider denying the application,
6 explaining that the lighting is more important,
7 and advising the Commission as to, this is what
8 needs to be done. That may be a more effective
9 way to get your point across.

10 CHAIRMAN AIZENSTAT: So would you like to
11 change your motion?

12 MR. PARDO: Yeah. I would, deny it, based
13 on the complexities of the issue.

14 MS. KAWALERSKI: I'll second that.

15 CHAIRMAN AIZENSTAT: So we have denying the
16 motion as is presented.

17 MR. COLLIER: Do you also want to recommend
18 that they look at light spillage? You know, I
19 want them to -- they're going to see the
20 transcript.

21 MR. PARDO: Right.

22 MR. COLLIER: But it might be useful to
23 reflect that in the motion.

24 MR. PARDO: That's a very good idea. You
25 know, do you want to add that, the lighting?

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1 MR. BEHAR: To deny it.
 2 MS. KAWALERSKI: Yes. So we're denying the
 3 item, with a recommendation to explore the
 4 lighting emanating from the buildings.
 5 MR. PARDO: And its impact on --
 6 MS. KAWALERSKI: And its impact on
 7 residential areas.
 8 CHAIRMAN AIZENSTAT: So you're well on the
 9 amendment?
 10 MR. PARDO: Yes, I am.
 11 CHAIRMAN AIZENSTAT: Chip, do you have any
 12 comments on this?
 13 MR. WITHERS: I think it's good.
 14 CHAIRMAN AIZENSTAT: You're good?
 15 Any other comments? No?
 16 Call the roll, please.
 17 THE SECRETARY: Chip Withers?
 18 MR. WITHERS: Yes.
 19 THE SECRETARY: Robert Behar?
 20 MR. BEHAR: Yes.
 21 THE SECRETARY: Sue Kawalerski?
 22 MS. KAWALERSKI: Yes.
 23 THE SECRETARY: Felix Pardo?
 24 MR. PARDO: Yes.
 25 THE SECRETARY: Javier Salman?

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1 MR. SALMAN: Yes.
 2 THE SECRETARY: Eibi Aizenstat?
 3 CHAIRMAN AIZENSTAT: Yes.
 4 * * * * *
 5 (Thereupon, the meeting was concluded at
 6 9:15 p.m.)
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C E R T I F I C A T E

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 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
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8
 9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
 10 Public for the State of Florida at Large, do hereby
 11 certify that I was authorized to and did
 12 stenographically report the foregoing proceedings and
 13 that the transcript is a true and complete record of my
 14 stenographic notes.
 15

DATED this 12th day of January, 2024.



-----NIEVES SANCHEZ-----

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