

1 mean, just to the point --

2 MS. GARCIA: From a member of the

3 Commission. It's a sponsored text amendment.

4 MS. KAWALERSKI: Yeah, there's nothing

5 better to do, right?

6 CHAIRMAN AIZENSTAT: So we have a motion to

7 deny. We have a second. Any discussion? No?

8 Call the roll, please.

9 THE SECRETARY: Felix Pardo?

10 MR. PARDO: Yes.

11 THE SECRETARY: Javier Salman?

12 MR. SALMAN: Yes, to deny.

13 THE SECRETARY: Chip Withers?

14 MR. WITHERS: No.

15 THE SECRETARY: Robert Behar?

16 MR. BEHAR: No.

17 THE SECRETARY: Julio Grabiél?

18 MR. GRABIEL: I just want to clarify, if I

19 vote, yes, it means that we continue --

20 CHAIRMAN AIZENSTAT: That means you're

21 denying.

22 THE SECRETARY; Denying --

23 MR. GRABIEL: To deny that --

24 MR. PARDO: To be able to use artificial

25 turf.

145

1 MR. GRABIEL: Yes.

2 THE SECRETARY: Sue Kawalerski?

3 MS. KAWALERSKI: Yes.

4 THE SECRETARY: Eibi Aizenstat?

5 CHAIRMAN AIZENSTAT: No.

6 So what do we have?

7 THE SECRETARY: Four to three, the motion

8 to deny was approved -- passed.

9 MR. COLLER: Okay. Item E-4, an Ordinance

10 of City Commission providing for text

11 amendments to the City of Coral Gables Official

12 Zoning Code, Article 2, "Zoning Districts,"

13 Section 2-403, "Giralda Plaza District

14 Overlay," by allowing a television screen on

15 the inside of a window on the pedestrian street

16 of Giralda Plaza; providing for severability

17 clause, repeater provision, codification,

18 providing for an effective date.

19 Item E-4, public hearing.

20 I just have one question on this, Jennifer.

21 As I understand it, this is only permitted if

22 you have outdoor dining, correct.

23 MS. GARCIA: Correct. Yes.

24 MR. COLLER: Okay. We may need to play

25 with the title a little bit.

146

1 MS. GARCIA: Okay. That's fine. Yeah.

2 Yeah.

3 So, for the record, Jennifer Garcia, City

4 Planner. So the pedestrian street of Giralda,

5 as you know, is the 100 Block of Giralda.

6 There's no cars allowed. It's just

7 pedestrians. There's a lot of outdoor seating,

8 a lot of sidewalk cafes that are taking

9 advantage of this area. An idea of how to

10 encourage that pedestrian activity in that part

11 of the City more is to allow TV screens be

12 facing the already allowed sidewalk cafe, as

13 approved. It think it's worded as open air

14 dining.

15 The screen will be limited to the width of

16 the windows. So they can't be a large screen

17 that's expanding beyond the width of the

18 window, it has to be set with the window, and

19 it cannot occupy more than 50 percent of the

20 entire window size. I think that pretty much

21 sums it up. Oh, and it's limited to one screen

22 per 25 feet of frontage. You can't have

23 screen, screen, screen, screen. It has to be

24 within 25 feet of each other, or as approved by

25 the Development Review Official, for some

147

1 flexibility.

2 MR. BEHAR: And this TV is going to be

3 inside the space?

4 MS. GARCIA: Yes, inside, facing out

5 towards the --

6 MR. BEHAR: The window?

7 MS. GARCIA: Uh-huh. Correct.

8 MR. SALMAN: What about the sound?

9 MS. GARCIA: I'm sorry?

10 MR. SALMAN: What about the sound?

11 MS. GARCIA: The sound would have to follow

12 the sound ordinance, a different part of that

13 section, but they could have sound during

14 certain hours.

15 MR. PARDO: If you're watching a baseball

16 game while you're having dinner outside --

17 MR. BEHAR: That's the intent of this, a

18 soccer game, to have a TV that people outside

19 can see.

20 MS. KAWALERSKI: Just a question. Is there

21 anything in the Code about any kind of active

22 displays? So this would be an active display.

23 Is there anything in the Code against VMS

24 signs, variable message signs, tickers --

25 MS. GARCIA: Well, this wouldn't be a sign.

148

1 This would be a TV screen playing live -- well,  
2 I guess --

3 CHAIRMAN AIZENSTAT: What Sue is saying, no  
4 advertising or we're open, big TV that says,  
5 open.

6 MS. GARCIA: So, from my understanding and  
7 I'm looking at legal, we can't limit as far as  
8 what they're showing on a screen.

9 MR. COLLER: I thought they had said a live  
10 -- what do we have in the Ordinance? I haven't  
11 seen the latest revision. Did it have live  
12 action or what --

13 MS. GARCIA: We couldn't limit that only to  
14 live sports events --

15 MS. KAWALERSKI: But I'm saying, if you  
16 have an active display --

17 MR. COLLER: I think there are restrictions  
18 on signage for -- general restrictions on  
19 signage, so that would be inconsistent with the  
20 sign regulations. I think what we're -- I  
21 believe this, the intent was for display of  
22 live action.

23 MS. GARCIA: That's the intent. We can't  
24 limit it to only --

25 MR. BEHAR: Can you prohibit advertisement?

149

1 MR. COLLER: Well, I think there's already  
2 a regulation on -- obviously, when somebody's  
3 watching a baseball game and there's a  
4 commercial, there's going to be an advertising,  
5 but I think that --

6 MS. KAWALERSKI: That's part of the  
7 programing.

8 MR. COLLER: I think that the television,  
9 there are point-of-sale sign regulations, and  
10 so that would potentially conflict with that,  
11 if the television wasn't being used for the  
12 purpose of live action, but they were going to  
13 say, So and So's Cafe, on the TV, and then that  
14 would be construed to -- it would have to meet  
15 the point-of-sale sign restrictions for the  
16 property.

17 You do have to be careful about  
18 content-based.

19 MS. KAWALERSKI: I mean, I'm not against  
20 this. I just want to know what the Code is. I  
21 mean, can I put a variable message sign on the  
22 inside and it's saying exactly that, Tuesday  
23 night, free wings.

24 MR. BEHAR: I think that would be going  
25 into the advertisement.

150

1 MR. COLLER: That would go into the sign  
2 regulation of the --

3 MS. KAWALERSKI: Even though it's an active  
4 display. You know, there's flashing, you know,  
5 girls --

6 MR. BEHAR: Or guys.

7 MS. KAWALERSKI: Or guys. You know what I  
8 mean?

9 MR. BEHAR: I used to work at Hooters.

10 CHAIRMAN AIZENSTAT: Jennifer, let me ask  
11 you, if somebody takes that TV and moves it  
12 back four feet, back from the window, but yet  
13 you can see that TV from the window. Let's say  
14 I have a restaurant, and I put that television  
15 four-foot back from the window, but I aim it  
16 towards the window, am I allowed to do that?

17 MS. GARCIA: I think, as long as you're not  
18 attached to the window, it wouldn't be  
19 considered blocking the window. Right now you  
20 can't do that, because you're blocking the  
21 window. You're not allowed to block the  
22 window. I think, if you're four feet away, you  
23 could probably argue that you're not attached  
24 to the window --

25 CHAIRMAN AIZENSTAT: Or even a foot away,

151

1 but I'm not attached.

2 MS. GARCIA: Right.

3 CHAIRMAN AIZENSTAT: So why wouldn't  
4 somebody that's doing -- Code Enforcement comes  
5 up to somebody and say, "You can't do this, why  
6 wouldn't they just move it six inches away or a  
7 foot away?"

8 MS. GARCIA: I'm assuming the space -- the  
9 interior space may not have enough space to  
10 move it back.

11 CHAIRMAN AIZENSTAT: All right. I'm just  
12 asking a question.

13 MR. WITHERS: So that big TV on the corner  
14 of Giralda and Ponce, on that sports bar, is  
15 that allowed, where that is?

16 MS. GARCIA: Currently, no, it's not  
17 allowed, because it's blocking the window.

18 MR. PARDO: Have they been cited?

19 MS. GARCIA: I believe so.

20 MR. WITHERS: But it was on the back wall,  
21 over the bar and it was looking --

22 MS. GARCIA: That's fine, right. You just  
23 can't block the window.


24 MR. PARDO: Mr. Chairman, I'd like to make  
25 a motion, if you don't mind and we can keep

152

1 discussing --  
 2 CHAIRMAN AIZENSTAT: If I can, I just want  
 3 to find out, do we have any speakers for this  
 4 item?  
 5 THE SECRETARY: No, no speakers.  
 6 CHAIRMAN AIZENSTAT: No speakers whatsoever  
 7 in any platform?  
 8 Yes, sir.  
 9 MR. PARDO: I'd like to make a motion to  
 10 approve this change.  
 11 CHAIRMAN AIZENSTAT: As presented?  
 12 MR. PARDO: As presented.  
 13 CHAIRMAN AIZENSTAT: Is there a second?  
 14 MR. BEHAR: I'm going to second that.  
 15 CHAIRMAN AIZENSTAT: We have a second. Any  
 16 discussion?  
 17 MR. PARDO: I just want to add one thing,  
 18 there was a lot of money that was spent on  
 19 Giralda for those people to survive there.  
 20 This is just something that makes sense, and  
 21 most of the glass, by the way, Mr. Chairman --  
 22 most of the glass nowadays is tinted for energy  
 23 and the further back you set it, you can't see  
 24 anything.  
 25 MR. SALMAN: And the moldings are 48 inches

1 Javier. Everybody in favor, aye.  
 2 (Thereupon, Board Members voted aye.)  
 3 (Thereupon, the meeting was adjourned at 8:45  
 4 p.m.)  
 5  
 6  
 7  
 8  
 9  
 10  
 11  
 12  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25

1 and it's a continuous glass that we have to  
 2 have.  
 3 CHAIRMAN AIZENSTAT: All right. We have a  
 4 motion and we have a second. Robert seconded  
 5 it. Any further discussion? No?  
 6 Call the roll, please.  
 7 THE SECRETARY: Javier Salman?  
 8 MR. SALMAN: Yes.  
 9 THE SECRETARY: Chip Withers?  
 10 MR. WITHERS: Yeah.  
 11 THE SECRETARY: Robert Behar?  
 12 MR. BEHAR: Yes.  
 13 THE SECRETARY: Julio Grabiell?  
 14 MR. GRABIELL: Yes.  
 15 THE SECRETARY: Sue Kawalerski?  
 16 MS. KAWALERSKI: Yes.  
 17 THE SECRETARY: Felix Pardo?  
 18 MR. GRABIELL: Yes.  
 19 THE SECRETARY: Eibi Aizenstat?  
 20 CHAIRMAN AIZENSTAT: Yes.  
 21 Thank you.  
 22 MR. BEHAR: I'll make a motion to adjourn.  
 23 MR. GRABIELL: Second.  
 24 MR. SALMAN: I'll second.  
 25 CHAIRMAN AIZENSTAT: We have a second by

1 C E R T I F I C A T E  
 2  
 3 STATE OF FLORIDA:  
 4 SS.  
 5 COUNTY OF MIAMI-DADE:  
 6  
 7  
 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  
 16 DATED this 25th day of October, 2023.  
 17  
 18  
 19   
 20 -----NIEVES SANCHEZ-----  
 21  
 22  
 23  
 24  
 25