

1 CITY OF CORAL GABLES  
2 PLANNING AND ZONING BOARD MEETING  
3 VERBATIM TRANSCRIPT  
4 CORAL GABLES CITY HALL  
5 405 BILTMORE WAY, COMMISSION CHAMBERS  
6 CORAL GABLES, FLORIDA  
7 WEDNESDAY, JULY 8, 2009, 6:00 P.M.

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8 Board Members Present:

- 9 Robert Behar  
10 Jack Coe  
11 Tom Korge, Chairman  
12 Jeffrey Flanagan  
13 Pat Keon  
14 Javier Salman

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16 City Staff:

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- 17 Eric Riel, Jr., Planning Director  
18 Scot Bolyard, Planner  
19 Jill Menendez, Administrative Assistant  
20 Elizabeth M. Hernandez, City Attorney  
21 Martha Salazar-Blanco-zoning Official

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1           THEREUPON:

2           (The following proceedings were held.)

3           MS. KEON:  Let's call the meeting  
4           to order.

5           MS. MENENDEZ:  Roll call.

6           Eibi Aizenstat?

7           Robert Behar?

8           MR. BEHAR:  Here.

9           MS. MENENDEZ:  Jack Coe?

10          MR. COE:  Here.

11          MS. MENENDEZ:  Jeff Flanagan?

12          MR. FLANAGAN:  Here.

13          MS. MENENDEZ:  Pat Keon?

14          MS. KEON:  Here.

15          MS. MENENDEZ:  Javier Salman?

16          MR. SALMAN:  Here.

17          MS. MENENDEZ:  Tom Korge?

18          MR. RIEL:  Just for a matter of  
19          the record, Mr. Aizenstat is ill,  
20          therefore he will be not attending this  
21          evening.

22          MS. KEON:  Can we expect Tom?

23          MR. RIEL:  Yes.

24          MS. KEON:  He should be here in a  
25          minute.



1           The first item, can we move to  
2           approve the minutes?

3           MR. COE:   Which item are we doing?

4           MS. KEON:  Approval of the  
5           minutes.  First we'll do approval of  
6           the minutes --

7           MR. FLANAGAN:  So moved.

8           MS. KEON:  -- as long as we have a  
9           quorum.

10          Number 3.

11          MR. SALMAN:  Second.

12          MS. KEON:  Call the roll, please.  
13          Do we call the roll for that?

14          MS. MENENDEZ:  Robert Behar?

15          MR. BEHAR:  Abstain.

16          MS. MENENDEZ:  Jack Coe?

17          MR. COE:  This is the minutes?

18          MS. KEON:  Yeah.

19          MR. COE:  Abstain.  I wasn't here  
20          last time.

21          MS. MENENDEZ:  Jeff Flanagan?

22          MR. FLANAGAN:  Yes.

23          MS. MENENDEZ:  Pat Keon?

24          MS. KEON:  Yes.

25          MS. MENENDEZ:  Javier Salman?



1 MR. SALMAN: Yes.

2 MR. RIEL: We have a problem. We  
3 only have three members that are  
4 voting, so --

5 MR. COE: Madam Chair, I move that  
6 we defer the elections and defer the  
7 minutes to later, and move to Item  
8 Number 6.

9 MS. KEON: Okay. Moving to Item  
10 Number 6. Am I supposed to wait up?

11 MR. RIEL: Item Number 6 is a  
12 Zoning Code text amendment regarding  
13 telecommunications. It's basically  
14 dealing with providing a new section  
15 regarding the installation of amateur  
16 radio stations or antennae.

17 When the Zoning Code Rewrite was  
18 completed, we did redo the  
19 Telecommunications Section. However,  
20 this, regarding amateur radio, was not  
21 included in that review.

22 MS. HERNANDEZ: We set that aside,  
23 so that Special Counsel can review it  
24 for us, under then rules that were  
25 being challenged at the time. So it's



1 appropriate now for consideration and  
2 to move forward.

3 MR. RIEL: So, basically, this is  
4 an entirely new section, 5-2011. It --  
5 basically, it's almost a stand alone  
6 section. It has application  
7 requirements and fees.

8 The required reviews, if a tower  
9 is less than 50 feet, it's essentially  
10 a just by right review by the Building  
11 & Zoning Department. If it exceeds 50  
12 feet, it will need to go for a  
13 conditional use review by the Planning  
14 Board and the City Commission, subject  
15 to the conditional use standard  
16 provisions which are in the Zoning  
17 Code.

18 Obviously, it needs to go to the  
19 Board of Architects for review, and  
20 then it needs to have permits.

21 As a part of that approval, the  
22 Boards or the City Staff or the  
23 Commission can prescribe conditions and  
24 safeguards to such approval.

25 Basically, the height -- there's



1 an indication in terms of height, how  
2 it's measured. They're allowed in  
3 single family, MF1, MF2, which is the  
4 multi-family zones, and the MFSA  
5 districts. There's only one called per  
6 building site. It does require set  
7 backs, which is basically the set backs  
8 that are of the underlying single  
9 family or multi-family district.

10 In terms of -- and they're  
11 basically only allowed in the rear yard  
12 area.

13 And, then, there's also provisions  
14 that -- for the dismantling or the  
15 tilting of the antenna, for those  
16 exceeding 50 feet in height. It  
17 provides for when there's obviously a  
18 natural disaster coming, that it should  
19 be cranked down, and there is an  
20 exemption for emergency communications  
21 that are utilized as a part of  
22 assisting the City or, you know, any  
23 local government in providing amateur  
24 radio service, and then there's  
25 obviously installation requirements and



1 then there's violation provisions.

2 MR. COE: For the record, the --  
3 note that the Chairman has arrived.

4 Mr. Chairman, I move approval.

5 CHAIRMAN KORGE: There's a motion  
6 for approval of --

7 MR. SALMAN: I'll second it, but I  
8 have a question or comment.

9 MS. HERNANDEZ: Number 6.

10 CHAIRMAN KORGE: Number 6, the  
11 Zoning Code Text Amendment for  
12 Communication -- Telecommunications.

13 MR. SALMAN: These are for amateur  
14 radios.

15 CHAIRMAN KORGE: Mr. Salman.

16 (Simultaneous speaking.)

17 MR. SALMAN: Yeah, I have a  
18 question of Staff with regards to this.  
19 You have, for hurricane's provisions,  
20 the requirement that they be able to be  
21 cranked down to their reduced position  
22 if they're over 50 feet.

23 MR. RIEL: Correct.

24 MR. SALMAN: But I saw, in my  
25 brief review, that from a permitting



1 point of view, they have it by right.  
2 On the measurement portion for the 50  
3 feet, is it in its -- in its extended  
4 position or is it in its nested  
5 position?

6 MR. FLANAGAN: Extended.

7 MR. RIEL: Extended.

8 MR. SALMAN: Extended?

9 MR. RIEL: Yes.

10 MR. SALMAN: Okay. That's -- I  
11 wanted to make sure. Thank you.

12 CHAIRMAN KORGE: I had a question  
13 about the 50 feet, as well. Is that --  
14 you may have already answered it  
15 before, but is that -- is that  
16 measurement from the ground or from the  
17 top of the building or -- if it's  
18 attached to the building?

19 MR. COE: Ground.

20 MS. HERNANDEZ: From the grade.

21 MR. RIEL: From the established grade.

22 MS. HERNANDEZ: Yes.

23 CHAIRMAN KORGE: Okay. So it's  
24 attached to the building, it would be  
25 50 feet from the ground level?



1 MS. HERNANDEZ: Yes.

2 MR. RIEL: Yes.

3 MS. KEON: I'm assuming that,  
4 then, all of these provisions are in  
5 accordance with whatever the rulings  
6 were?

7 MS. HERNANDEZ: Yeah. What  
8 happened was, the FCC has specific  
9 rulings as to amateur radios. You  
10 know, they're independent providers,  
11 and, basically, they have certain  
12 protections under FCC guidelines, and  
13 these provisions are the bare minimum  
14 that we can get away with in order to  
15 allow them to exist.

16 I think we have maybe four in the  
17 City, you know, and we have actually  
18 been working with them, because they do  
19 actually provide volunteer services to  
20 the City in times of need, so --

21 MR. FLANAGAN: And there's no --  
22 there's no concern with a pole 50 feet  
23 high? Is that like a flag pole?

24 MS. HERNANDEZ: They're already there.

25 MR. FLANAGAN: Versus -- but if



1 somebody comes in for a new one -- I  
2 mean, at 50 feet, I'm wondering, it's a  
3 flag pole type structure, what's on top  
4 of it, does it then need to be guided  
5 to prevent it from falling over or help  
6 stabilize it if a storm is on the way?

7 MR. RIEL: I mean, it has to meet  
8 all the structural. It has to get a  
9 permit, so it has to meet all the  
10 structural --

11 MS. HERNANDEZ: And it has to meet  
12 -- right, our structural engineer has  
13 to provide the approvals, but it's  
14 pursuant to FCC guidelines and  
15 regulations and under our Building  
16 Code.

17 MR. RIEL: And -- and I'll tell  
18 you, I know Martha's here, I can tell  
19 you -- I know Martha's been here for  
20 some time in the City, I don't think  
21 there's a lot of these that come in.  
22 It's not like we get one a week. I  
23 mean, probably -- I don't even know if  
24 you remember any coming through in the  
25 20-plus years.



1 MS. HERNANDEZ: Well, we had one  
2 in the middle of the Zoning Code  
3 Rewrite. What had happened was, it was  
4 old and he needed to put it up. So  
5 what we just did was, we worked with  
6 the gentleman under FCC regulations.  
7 He understood that our regulations were  
8 outdated and we wanted to -- but that  
9 was, what, I think, two years ago?

10 MS. SALAZAR-BLANCO: Two or three  
11 years.

12 MS. HERNANDEZ: It was near --  
13 yeah, near the Biltmore.

14 MR. COE: It should be noted, Mr.  
15 Chairman, other than the basics that --  
16 that are embodied in this proposed  
17 ordinance, there's sort of a preemption  
18 of everything else.

19 CHAIRMAN KORGE: Is there a second  
20 on the motion to approve?

21 MR. SALMAN: Yeah.

22 MS. KEON: There was.

23 CHAIRMAN KORGE: It was seconded.  
24 Moved and seconded. Any further  
25 discussion on the motion?



1 None?

2 Then we'll call the roll, please.

3 MS. MENENDEZ: Jack Coe?

4 MR. COE: Yes.

5 MS. MENENDEZ: Jeff Flanagan?

6 MR. FLANAGAN: Yes.

7 MS. MENENDEZ: Pat Keon?

8 MS. KEON: Yes.

9 MS. MENENDEZ: Javier Salman?

10 MR. SALMAN: Yes.

11 MS. MENENDEZ: Robert Behar?

12 MR. BEHAR: Yes.

13 MS. MENENDEZ: Tom Korge?

14 CHAIRMAN KORGE: Yes.

15 There are two items that we --

16 we've missed, because I wasn't here at

17 the start of the meeting. One is the

18 election of the Chairperson and

19 Vice-Chairperson and the appointment

20 of --

21 MR. COE: Mr. Chairman, I nominate

22 Tom Korge for Chairman.

23 MR. FLANAGAN: I'll second it.

24 MS. KEON: I'll second it.

25 CHAIRMAN KORGE: Any discussion?



1 Call -- call the roll on that --

2 call the roll on that, please.

3 MS. MENENDEZ: Jeff Flanagan?

4 MR. FLANAGAN: Yes.

5 MS. MENENDEZ: Pat Keon?

6 MS. KEON: Yes.

7 MS. MENENDEZ: Javier Salman?

8 MR. SALMAN: Congratulations, and yes.

9 MS. MENENDEZ: Robert Behar?

10 MR. BEHAR: Yes.

11 MS. MENENDEZ: Jack Coe?

12 MR. COE: Yes.

13 MS. MENENDEZ: Tom Korge?

14 CHAIRMAN KORGE: Yes. Thank you.

15 And for Vice-Chairperson?

16 MR. COE: How are we going to do

17 this?

18 MR. SALMAN: I'd like to nominate,

19 in absentia, Eibi Aizenstat, pending

20 his acceptance.

21 MR. BEHAR: I second that.

22 MS. HERNANDEZ: Yeah, he has to --

23 but we don't know if he will accept or

24 not.

25 MR. SALMAN: Well, he'll have to



1 accept at the next meeting.

2 MS. HERNANDEZ: He'll accept at  
3 the next meeting.

4 CHAIRMAN KORGE: He'll -- he'll --

5 MR. COE: Can we make it  
6 provisional on the acceptance?

7 MS. HERNANDEZ: You can make it  
8 provisional. There's none amongst you  
9 that would like to serve as Vice-Chair  
10 so we can get it done and over with,  
11 right?

12 MS. KEON: No. He would like to.

13 MR. RIEL: Yeah, I spoke to  
14 Mr. Aizenstat and he's interested  
15 and --

16 MS. KEON: He would like to do it  
17 again.

18 MR. COE: I'll second the nomination.

19 MR. BEHAR: Second it.

20 MR. COE: It's already been  
21 seconded. Call the question.

22 CHAIRMAN KORGE: Call the vote, please.

23 MS. MENENDEZ: Javier Salman?

24 MR. SALMAN: Yes.

25 MS. MENENDEZ: Robert Behar?



1 MR. BEHAR: Yes.

2 MS. MENENDEZ: Jack Coe?

3 MR. COE: Yes.

4 MS. MENENDEZ: Jeff Flanagan?

5 MR. FLANAGAN: Yes.

6 MS. MENENDEZ: Pat Keon?

7 MS. KEON: Yes.

8 MS. MENENDEZ: Tom Korge?

9 CHAIRMAN KORGE: Yes.

10 And the appointment of the  
11 Planning & Zoning Board Member. Do we  
12 have a nomination?

13 MS. HERNANDEZ: The person is --

14 CHAIRMAN KORGE: That's -- Pat  
15 Keon's here.

16 MS. HERNANDEZ: Pat Keon is  
17 serving as the Planning & Zoning Board  
18 member.

19 MR. SALMAN: I move -- I would  
20 like to move that -- if Pat accepts,  
21 that we nominate her -- or I nominate  
22 her for that position again.

23 MS. KEON: Thank you.

24 MR. BEHAR: I'll second it.

25 MR. COE: Call the question, Mr.



1 Chairman.

2 CHAIRMAN KORGE: It's been  
3 seconded. Let's call the vote, please.

4 MS. MENENDEZ: Robert Behar?

5 MR. BEHAR: Yes.

6 MS. MENENDEZ: Jack Coe?

7 MR. COE: Yes.

8 MS. MENENDEZ: Jeff Flanagan?

9 MR. FLANAGAN: Yes.

10 MS. MENENDEZ: Javier Salman?

11 MR. SALMAN: Yes.

12 MS. MENENDEZ: Tom Korge?

13 CHAIRMAN KORGE: Yes.

14 And approval of the minutes of the --

15 MR. COE: Do we have enough for this?

16 MS. HERNANDEZ: We have enough

17 people, one, two, three, four.

18 MR. BEHAR: I wasn't here.

19 MR. COE: Both of us were not here.

20 MS. HERNANDEZ: No, I know, but

21 Tom was here last time.

22 CHAIRMAN KORGE: I was here.

23 MR. COE: That's only three.

24 MS. HERNANDEZ: No, that's four.

25 MR. SALMAN: No, one, two, three, four.



1 MR. COE: Oh, I'm sorry. You're  
2 right. I miscounted.

3 CHAIRMAN KORGE: Do I have a  
4 motion for approval of the minutes of  
5 the meeting of June 3rd?

6 MR. SALMAN: So moved.

7 CHAIRMAN KORGE: Second?

8 MS. KEON: I'll second.

9 MR. FLANAGAN: Second.

10 CHAIRMAN KORGE: Seconded. Any  
11 discussion? Let's call the roll.

12 MS. MENENDEZ: Robert Behar?

13 MR. BEHAR: Abstain.

14 MS. MENENDEZ: Jack Coe?

15 MR. COE: Abstain.

16 MS. MENENDEZ: Jeff Flanagan?

17 MR. FLANAGAN: Yes.

18 MS. MENENDEZ: Pat Keon?

19 MS. KEON: Yes.

20 MS. MENENDEZ: Javier Salman?

21 MR. SALMAN: Yes.

22 MS. MENENDEZ: Tom Korge?

23 CHAIRMAN KORGE: Yes.

24 Then the last item on our agenda  
25 is a discussion item on awning and



1 canopy signage.

2 MR. SALMAN: Oh, and a show.

3 CHAIRMAN KORGE: And a show.

4 MR. SALMAN: And a show.

5 MR. RIEL: Scot -- Scot Bolyard,  
6 on our Staff, will be presenting this  
7 item.

8 MR. BOLYARD: Aaron, if you can  
9 start the Power Point.

10 Good evening, Mr. Chairman,  
11 Members of the Board. Hold on one  
12 second. They have turned off the  
13 signal.

14 (Cell phone rings.)

15 MR. SALMAN: I'm getting a signal.

16 MR. BOLYARD: The item before you  
17 this evening is the -- is a Zoning Code  
18 discussion item for awning and canopy  
19 signage.

20 A little bit of background. After  
21 the February 24, 2009 meeting, the City  
22 Commission requested that Planning  
23 revisit the sign ordinance, as it  
24 relates to commercial signage on  
25 awnings.



1           The sign ordinance was adopted on  
2           June 3rd, 2003 and has not been amended  
3           since, with the exception of minor  
4           changes regarding aesthetics that were  
5           added during the Zoning Code Re-write.

6           The request is a consideration for  
7           an amendment to the Zoning Code, to  
8           permit both, awning and canopy signage  
9           and tenant signage. Awning and canopy  
10          signs are not permitted if a business  
11          owner has a tenant sign, currently, and  
12          business owners have the option of  
13          choosing the preferred type of signage.

14          Here's an -- some examples of  
15          awning and canopy signage, and tenant  
16          signage.

17          Again, businesses -- business  
18          owners have the option of choosing  
19          between either awning and canopy  
20          signage or tenant signage. These are  
21          illustrations from our Zoning Code  
22          definitions.

23          Here's an example of available  
24          signage for buildings three floors or  
25          less. They get one wall sign for --



1 for the building, a tenant sign or an  
2 awning sign for each tenant, in this  
3 case there's two tenants, and then each  
4 of the tenants get a doorway sign,  
5 street level projection sign and window  
6 sign, and then there's one directory  
7 sign for the building. This comes to a  
8 total of ten signs, in this example.

9 In the next example, this is  
10 another building, three floors of less,  
11 but this one has two additional  
12 tenants. So there's going to be two  
13 additional tenant signs or awning  
14 signs, depending on which one they  
15 choose, again, they've got one wall  
16 sign for the primary street, this one  
17 has a wall sign on the side street, and  
18 they've got four tenant signs, four --  
19 four doorway signs, street level sign  
20 -- street level projection sign, window  
21 sign. This example has a total of 19  
22 signs.

23 This is an example of available  
24 signage for buildings eight floors or  
25 more. When a building is 97.1 feet or



1 more in height, they're permitted two  
2 wall signs. So here they've got two  
3 wall signs on the primary street  
4 frontage, two on the side street, and  
5 there's two tenants on each street, so  
6 there's four tenant signs, with their  
7 choice of either awning or tenant  
8 signs, and then they've got their  
9 doorway signs, street level projection  
10 signs, et cetera, for a total of 21  
11 signs.

12 Recommendation, Planning  
13 recommends no changes to the Zoning  
14 Code provisions for signs, as numerous  
15 opportunities exist for tenants to  
16 advertise their business from various  
17 vantage points, pedestrian view,  
18 vehicular views, et cetera. Planning  
19 Staff continues to support the option  
20 of permitting either an awning, canopy  
21 sign or a tenant sign, as this prevents  
22 visual clutter, and that is the  
23 presentation.

24 MR. COE: I have a question,  
25 Mr. Chairman, of -- and this is of



1 Staff. What exactly are we doing, just  
2 discussing this?

3 MR. RIEL: Yeah. Well, what  
4 happened is, the Commission asked that  
5 the Board consider and discuss allowing  
6 both, you know, an awning, canopy sign  
7 and a tenant sign.

8 Staff reviewed it, and as Scot  
9 indicated, our recommendation is, you  
10 know, either/or, given the fact that  
11 obviously there's numerous  
12 opportunities.

13 Your recommendations will go to  
14 the Commission. They will, you know,  
15 either agree with it -- obviously, if  
16 they, you know, want provisions, it  
17 will come back, we'll write the  
18 provisions, and it will go through the  
19 process.

20 CHAIRMAN KORGE: What is the  
21 difference between an awning sign and a  
22 tenant sign? I guess I missed that.

23 MR. RIEL: A tenant sign is,  
24 essentially, a building sign that's  
25 located on the side of the building.



1 MR. COE: It's affixed.

2 MR. RIEL: And an awning sign or  
3 canopy sign, it's just lettering on an  
4 awning that typically protrudes over  
5 the side wall.

6 MR. COE: So under the proposed  
7 change, am I correct that we would then  
8 have the -- the landlord signs and the  
9 tenant signs all over the building?

10 MR. RIEL: Essentially, what you  
11 would have is, if you have four tenants  
12 in a building, at the bottom, you would  
13 have four tenants signs, and, then, if  
14 they put a canopy or an awning up, they  
15 would have the opportunity to put  
16 additional signage on that awning.

17 MR. COE: So all full of signs.

18 MR. RIEL: This issue was debated  
19 and discussed when the -- in the  
20 fourteen months, when we were going  
21 through the Sign Code, and that's why  
22 the illustrations that -- were prepared  
23 regarding the availability of the 21  
24 signs. You know, that's why we did  
25 that illustration, saying there's



1 numerous opportunities.

2 I mean, Scot went through it. You  
3 can do window signs, you know, tenant  
4 and/or awning building signs,  
5 protruding signs. We just felt that,  
6 you know, that was adequate, in terms  
7 of the advertising. So that's why  
8 we've taken the position not --

9 MS. KEON: May I ask one question?

10 On the street level projection  
11 signs, can every tenant have their own  
12 sign or is that a building sign?

13 MR. RIEL: Each tenant can have a  
14 projection sign.

15 MS. KEON: So everyone can have that?

16 MR. RIEL: Yes.

17 MR. SALMAN: In addition to their  
18 awning and a building sign?

19 MR. RIEL: Yes. Yes. Yes.

20 MS. KEON: And -- yes, in addition  
21 to the awning or -- or canopy.

22 MR. RIEL: Yes. The projection  
23 signs are more geared towards the  
24 pedestrians walking down --

25 MS. KEON: The pedestrian, that's



1 right, yeah.

2 MR. RIEL: That was a new signage  
3 that was put in the Code.

4 MR. SALMAN: Right.

5 MS. KEON: And then I wasn't sure  
6 if that was for the building or if it  
7 was per tenant, from the way it was  
8 written.

9 MR. RIEL: And another thing we  
10 put in the Code was, tenant signs can  
11 increase in size if they do a 3-D  
12 dimensional sign, from 12 to 18 inches,  
13 so -- to try to encourage, you know,  
14 unique signage, so --

15 MS. KEON: Right.

16 MR. BEHAR: And what is the  
17 maximum height permitted on a canopy  
18 sign?

19 MR. RIEL: Six inches? Six inches.

20 MR. BOLYARD: Or sixty percent of  
21 the -- what's it called, the valence?

22 MR. SALMAN: The valence.

23 MR. RIEL: Yes.

24 CHAIRMAN KORGE: So I'm just  
25 thinking this through, we have a large



1 mixed use development, and the owner of  
2 the building wanted to put the building  
3 name on it, you know, whatever that  
4 could be, Bank or Whatever, and, then,  
5 on the street level, there are all  
6 these awnings, the tenants signs  
7 couldn't be on the awnings, if they put  
8 the building name on the building; is  
9 that what we're saying?

10 MR. RIEL: No. They can do a  
11 building name sign and a tenant or  
12 awning or canopy sign.

13 MR. COE: Right now it's either/or.

14 MR. RIEL: either/or. either/or.  
15 either/or. The building sign is --  
16 that's allowed.

17 CHAIRMAN KORGE: I thought the  
18 awning was a tenant sign, no?

19 MR. RIEL: No.

20 MR. BEHAR: And the tenant signs,  
21 is that going to be the name of the  
22 company, or, for example, I'm thinking  
23 The Collection, which you have all the  
24 different car manufacturers.

25 MR. RIEL: That was done in



1 advance of the Code rewrite, and,  
2 actually, they got a variance for the  
3 size of the lettering. So that was  
4 done -- that was granted through  
5 another process, some nine years ago.

6 MS. KEON: That would be a good  
7 thing, though. I mean, is that  
8 variance process a difficult thing to  
9 go through?

10 MR. RIEL: Well, that's -- that's  
11 the only vehicle they had to provide  
12 for that sign at the time, because  
13 there wasn't -- there wasn't  
14 regulations in place.

15 MS. KEON: Yeah. Do --

16 MR. SALMAN: See, but a variance  
17 implies some sort of a hardship.

18 MS. KEON: Right. And that's not --

19 MR. SALMAN: And it can be very  
20 difficult for a typical --

21 MR. BEHAR: Prove a hardship.

22 MR. SALMAN: Right, a hardship,  
23 especially for a sign.

24 MS. KEON: Right, but I was  
25 thinking -- I mean, I don't know who



1           else that would apply to. I can't  
2           think of a business or someone that  
3           would apply to, where you have all  
4           those different manufacturers, but I  
5           think that would be a good thing, to be  
6           able to do that.

7           MR. SALMAN: Uh-huh. You have,  
8           also, a lot of -- excuse me, you have a  
9           lot of commercial tenants, that have to  
10          make a very difficult decision, because  
11          they either put the name of their  
12          business on the building or -- and  
13          abstain, currently, from putting any  
14          signage on their valences for their  
15          canopies, they have to make that  
16          decision.

17          A lot of times, for example, there  
18          might be a restaurant that specializes  
19          in a typical type of food, and they  
20          would put their -- their name on the  
21          building, but, then, they can't say the  
22          types of food or an auto dealership,  
23          you know, The Collection, I think it  
24          says, Ferraris, Audis or whatnot, and I  
25          don't have a problem in -- in approving



1           for the duality signs. I think it's  
2           needed, because having to force  
3           commercial tenants into that decision  
4           making process is very difficult and  
5           they do it reluctantly, because they  
6           know they have to do it as a  
7           consequence of running in the Gables.  
8           However, as long as the signage is not  
9           the same, I don't have a problem. If  
10          we can insert that into the language, I  
11          think that that would be more  
12          palatable, because I don't want to see,  
13          you know --

14                 CHAIRMAN KORGE: The same name on  
15          the building --

16                 MR. SALMAN: -- the same name on  
17          the building and on the valences, and  
18          that needs to be addressed. That's one  
19          issue.

20                 The second issue is that if they  
21          had their name on the canopy, it has to  
22          be on the front valence, not on the  
23          side valence. I rather that they have  
24          it in the form of a plaque sign,  
25          underneath, for the pedestrian, and



1           that they make that choice, because  
2           sometimes they don't have an awning or  
3           they don't have an opportunity to have  
4           an awning, and what they really need to  
5           is to develop a plaque sign, and if the  
6           plaque sign is underneath the canopy,  
7           then it doesn't count.

8           MR. BEHAR: And, Eric, currently,  
9           the way it reads, they don't have a  
10          choice or do they -- they do have a  
11          choice?

12          MR. RIEL: They have a choice.

13          (Simultaneous speaking.)

14          MR. SALMAN: They have choices,  
15          but it's the choices that they have to  
16          make that I'm addressing here.

17          Number 1 is, I don't want somebody  
18          with a plaque sign and an awning sign  
19          and a building sign, and the way I see  
20          it is that they're going to be able to  
21          do that, Number 1.

22          Number 2 is that they can use the  
23          same text on both or in all of them,  
24          and then you get -- that becomes  
25          polluting, that becomes sign pollution



1 at that point, but if one thing -- for  
2 example, it could be Joe's Restaurant,  
3 and then the valence would say,  
4 "Specializing in Sloppy Joe's, Ruben  
5 Sandwiches" and whatever -- and Corn  
6 Beef and Bananas," whatever, and then  
7 the plaque sign might be underneath the  
8 canopy and that -- that wouldn't count,  
9 because that's strictly geared for the  
10 pedestrian on the sidewalk. The canopy  
11 sign on the valence sign is  
12 directed toward -- and the building are  
13 directed to the people on the opposite  
14 side of the street or they're in their  
15 vehicles, but -- and the one underneath  
16 the canopy is just for the people who  
17 are walking by, who can't see any of  
18 them.

19 See what I'm saying?

20 So that you're exponentially not  
21 being assaulted, and that's, I think,  
22 the restrictive qualities that we want  
23 to have inserted into this document,  
24 but not necessarily restrictive to the  
25 point that it limits them from being



1 able to put their signage.

2 Tenants are very, very, very  
3 concerned about their ability to put  
4 signs. They -- they automatically link  
5 their signage up to the success of  
6 their business, and quite honestly,  
7 that is not incorrect, at least not  
8 completely incorrect. Visibility is  
9 very important, especially in a crowded  
10 marketplace, but -- but at the same  
11 time, the other tenants need the right  
12 to be able to -- to exist, and I just  
13 don't want it to become Times Square,  
14 because I think that just becomes  
15 unlivable for more than a week.

16 MR. COE: Now, Eric, if a building  
17 has a hundred tenants, theoretically,  
18 and this is adopted, can it have a  
19 hundred tenant signs?

20 MR. RIEL: A hundred tenant signs.

21 MR. COE: Plus the building sign.

22 MR. RIEL: Plus the building sign,  
23 plus the street projection sign or  
24 plaque sign, plus window signs, plus  
25 each can have a directory sign.



1           MR. COE:  Shouldn't there be some  
2           kind of cap to this?

3           MR. RIEL:  That's why Staff is  
4           recommending, you know, the choice be  
5           either a tenant or awning and/or  
6           canopy.

7           CHAIRMAN KORGE:  Well, there are  
8           different types of tenants.  There are  
9           ground floor tenants --

10          MR. RIEL:  Right.

11          THE CHAIRPERSON:  -- and they  
12          really need, because they're the  
13          retail -- they're the retail stores or  
14          restaurants, they need street signage.

15          MR. RIEL:  Uh-huh.

16          CHAIRMAN KORGE:  Then there are  
17          commercial tenants, that may want  
18          street signage, but don't necessarily  
19          need it to identify their business.  
20          For them that's a different type of  
21          advertising.  That's not drawing people  
22          into their business, so much as letting  
23          the people know that they exist.  A law  
24          firm or an accounting firm might want  
25          to have their name on the building, but



1           it's not necessary to their business,  
2           like it would be for retail. I mean,  
3           I'm just making an observation. I  
4           don't know how you fit all that in  
5           this.

6           MR. COE: But your observation is  
7           correct. That's really the issue. The  
8           secondary tenants really don't need to  
9           have the signage.

10          CHAIRMAN KORGE: Yeah.

11          MS. KEON: But aren't they allowed  
12          a directory sign on the building?

13          MR. RIEL: Yes.

14          MS. KEON: But they're allowed to  
15          have a directory sign on the building  
16          that would list all hundred tenants.

17          MR. RIEL: I mean, if you look  
18          at -- look at Page 6 through 8 in your  
19          packet, it details the number of signs.  
20          We have the exact situations that we  
21          have on Miracle Mile. You have, you  
22          know, the two or three-story building,  
23          with, you know, the two tenants, if you  
24          look on Page 6, and then you have a  
25          situation where you have a corner



1 building, where you have, you know, a  
2 number of tenants, and it kind of just  
3 slits, you know, and they also can have  
4 a sign over their doorway, as well, you  
5 know, in addition to their required  
6 address signage.

7 CHAIRMAN KORGE: I guess what I  
8 was trying to say was, what Javier was  
9 addressing, the retail ground level,  
10 and I think that really -- I mean, that  
11 impresses me as being a pretty  
12 thoughtful explanation and a well -- a  
13 well organized way to provide for that  
14 kind of signage, but in addressing  
15 Jack's other point, the non-street  
16 level, there has to be a limit, maybe  
17 don't even -- I don't know what the  
18 limit should be. You know, maybe  
19 one --

20 MR. RIEL: No, tenants have a --  
21 tenant signage has a maximum height.  
22 It can only be for like the ground  
23 floor, ground level -- I mean, you  
24 can't have a third floor sign, you  
25 know, that has like, you know, a



1 lawyer's office up on the third floor.

2 CHAIRMAN KORGE: So there can only  
3 be a building name and then -- so like  
4 a bank name?

5 MR. RIEL: The bank name is  
6 typically on the top of the building.

7 CHAIRMAN KORGE: I understand, but  
8 that would be -- that would be allowed?

9 MR. RIEL: Correct.

10 CHAIRMAN KORGE: Regardless of  
11 what's on the ground?

12 MR. RIEL: Correct.

13 CHAIRMAN KORGE: Then the signage  
14 that -- that Javier was talking about,  
15 the street level --

16 MR. RIEL: Street level.

17 CHAIRMAN KORGE: -- and we're  
18 talking about making possibly some  
19 adjustments to that.

20 MR. RIEL: Correct.

21 CHAIRMAN KORGE: If we make those  
22 adjustments, we would not inadvertently  
23 allow tenants in the other levels to  
24 throw signs up?

25 MR. RIEL: No, that's not --



1           CHAIRMAN KORGE: Which addresses  
2 my concern.

3           MR. COE: That's my concern.

4           CHAIRMAN KORGE: Yeah.

5           MR. COE: I mean, you can have a  
6 16-story -- 15-story office building  
7 downtown, and everybody -- you know, I  
8 don't know how many hundreds of tenants  
9 that may be, they're all going to have  
10 their signs, you know.

11          MR. BEHAR: You're not allowed to  
12 do that. Only if you're a ground floor  
13 tenant you're allowed to have signage.

14          MR. BOLYARD: Yeah, you --

15          MR. COE: That's my concern. I  
16 want to make sure it's more realistic  
17 and done to where it's really  
18 necessary. The ground floor, as  
19 CHAIRMAN KORGE has pointed out, is, I  
20 think, essential to people's business.

21          CHAIRMAN KORGE: Yeah, and I  
22 really like the comments that Javier's  
23 made. I mean, you'd have to write it  
24 up and make sure it all works, but it  
25 really sounds like it would be an



1 improvement.

2 MR. RIEL: It provides for  
3 additional signage, absolutely --

4 CHAIRMAN KORGE: Yeah.

5 MR. RIEL: -- you know, and it's  
6 one sign -- one per street level  
7 tenant, per street right-of-way, so --  
8 and, you know, there's a maximum  
9 height, there's a maximum square  
10 footage, you know.

11 MR. FLANAGAN: But right now, they  
12 get -- I mean, each tenant on the  
13 ground floor gets a tenant sign, which,  
14 I guess, would be on the building,  
15 maybe above the doorway, above an  
16 awning?

17 MR. RIEL: Yes.

18 MR. FLANAGAN: They get a doorway sign?

19 MR. RIEL: Correct.

20 MR. FLANAGAN: They get a street  
21 level projection sign?

22 MR. RIEL: Correct.

23 MR. FLANAGAN: Maybe that's a  
24 plaque sign.

25 MR. RIEL: That's the same thing, yes.



1 MR. FLANAGAN: And a window sign?

2 MR. RIEL: Correct.

3 MR. FLANAGAN: For every tenant?

4 MR. RIEL: And a menu -- they can  
5 do a menu, as well, or a directory  
6 sign.

7 MR. FLANAGAN: A directory sign?

8 MR. COE: A point of clarification --

9 MR. FLANAGAN: So it sounds like  
10 they have already -- and, Javier, I  
11 like what you said, let's  
12 differentiate, I like that idea, but if  
13 they already have a door sign, window  
14 sign, plaque sign and tenant sign, they  
15 might be able to find a way to  
16 differentiate between those four  
17 marketing or advertising options, to  
18 differentiate -- maybe in the window  
19 sign -- maybe the tenant sign says,  
20 whatever, you know, Joe's Restaurant,  
21 and then the window, "Specializing in  
22 Sloppy Joe's."

23 MR. RIEL: Here's some of my -- my  
24 also -- my other concern is, if you  
25 have a tenant sign, okay, you know,



1 Joe's Restaurant, my concern is that if  
2 they're allowed to have a sign on an  
3 awning, it will be like a Coke sign or  
4 something like that, which doesn't  
5 really advertise the business, it's  
6 more of a product.

7 MR. SALMAN: A corporate sign --

8 MR. RIEL: And that's what  
9 concerns me. So you're going to go  
10 down the street and you're going to  
11 have Coke, Pepsi and Anheuser Busch,  
12 and that's --

13 MR. SALMAN: I think we have to  
14 restrict it from corporate sponsor  
15 signs.

16 MR. RIEL: And, see, when you  
17 start getting into restricting the  
18 content of the sign, then you start  
19 getting into a lot of legal issues, in  
20 terms of you can't --

21 MR. SALMAN: Is that a free speech  
22 issue? Oh, the attorney left us.

23 MR. COE: She left.

24 MR. RIEL: And that's -- you know,  
25 we had -- we had this discussion,



1           because I remember this, and that's  
2           why, you know, we were saying -- 'cause  
3           we felt that with the opportunities  
4           that were available, we just saw it as  
5           another opportunity to like advertise  
6           products that are not typically, you  
7           know, showing you that this --

8           MR. BEHAR: You have to be very  
9           careful, because people will do that  
10          and they will take advantage of that.

11          MR. RIEL: They will. They will  
12          absolutely do it.

13          MR. COE: If the sign is limited  
14          to the name of the business, you don't  
15          have this problem.

16          MR. BOLYARD: Yeah, the permitted  
17          text only includes a tenant's name  
18          and/or logo for awning and canopies.

19          MR. RIEL: But -- but he's saying,  
20          if we put the tenant name on, it can't  
21          be the same, so you --

22          CHAIRMAN KORGE: You're saying  
23          they can have a descriptive  
24          identification, in addition to the name  
25          of the tenant?



1 MR. COE: A logo.

2 CHAIRMAN KORGE: Like Joe's --  
3 Joe's Diner, and then underneath,  
4 "Specializing in Burgers."

5 MR. COE: That's advertising.

6 MR. RIEL: But, you know, we can't  
7 regulate content.

8 MR. COE: Once that -- that's a  
9 slippery slope.

10 (Simultaneous speaking.)

11 MR. BOLYARD: They can already put  
12 that on the window.

13 CHAIRMAN KORGE: But how about --  
14 here's the -- the other side of that  
15 coin is, what if there were no awning  
16 signs allowed? I mean, then  
17 everybody's in the same position and  
18 it's uniform. I think that the other  
19 side of the coin is, are we  
20 cluttering -- cluttering --

21 MR. SALMAN: Well, there's severe  
22 restrictions on the sizes of the  
23 lettering, so I'm not too concerned  
24 with the clutter. The content is what  
25 I was worried about.



1           MR. RIEL: I think what we wanted  
2           to do is give the -- you know, the  
3           tenant the opportunity to do what they  
4           thought was the best available sign to  
5           advertise their business. So that's  
6           why we gave them the option of the  
7           awning or the tenant sign.

8           For instance, if in front of their  
9           building, you know, and this exists,  
10          where they have a large tree and they  
11          can't see the tenant sign, they might  
12          choose the option of the awning sign,  
13          because it's more visible. So that's  
14          why we did the and/or. So, you know,  
15          there's a balancing act between what  
16          happens on the street -- and, you know,  
17          awnings are good things to have on the  
18          street, you know, but they do restrict,  
19          you know, the placement of trees and  
20          other pedestrian features. So this is  
21          kind of a balance. You know, that's  
22          why we --

23          MR. SALMAN: And, absolutely, the  
24          goal of any sign is one of visibility,  
25          ultimately. That's why you put the



1 sign on the building. It's about  
2 identification and creating a place in  
3 the market.

4 MR. RIEL: Correct. You know,  
5 after the Sign Code was adopted, you  
6 know, there was a lot of concern, and,  
7 in fact, that -- you know, you said it  
8 right, you know, folks think that the  
9 more signage they have, you know, more  
10 people are going to come to the  
11 business or whatever. That's not  
12 necessarily the case, but what I found  
13 is, after the new Sign Code was put  
14 into place, a lot of folks didn't  
15 understand they had these options  
16 available to them.

17 They'd only hear from the sign  
18 manufacturer, "You can only put up a  
19 tenant sign," you know, and that's what  
20 they come and get a permit for, and,  
21 you know, until people start putting in  
22 all the window signs and the plaque  
23 signs -- I don't know if you noticed,  
24 the first plaque sign went up, and you  
25 notice -- if you go down the Mile now,



1           there's a lot of them, and then -- it's  
2           a great sign. You know, it's something  
3           that's visible. It's not -- you know,  
4           it's not --

5           MR. SALMAN: Well, I think  
6           specifically what I wanted to restrict,  
7           the use of the sign valences on a  
8           canopy for signage, because I wouldn't  
9           mind if it were a plaque sign at that  
10          point, but it's just the bad things  
11          that can happen, thinking graphically,  
12          on the sides of a --

13          MR. RIEL: And, again, if the  
14          Board's direction is for us to allow  
15          both of those, we can -- you know,  
16          we'll go to the Commission, get their  
17          directions, come back with their  
18          suggestions on, you know, limitations  
19          on content. I just don't know how far  
20          we can go with that, but if your  
21          direction is --

22          MR. SALMAN: I think, if we  
23          structure this in such a way that the  
24          definition of that limitation is  
25          restricted to a description of the



1 business, that would pretty much clear  
2 it.

3 MR. FLANAGAN: Yeah.

4 MS. KEON: Yeah.

5 MR. RIEL: If that's the Board's  
6 direction, we can certainly look at  
7 that.

8 MR. BEHAR: Eric, let me ask  
9 another question. If you -- are you  
10 allowed -- for example, you have a  
11 showroom -- a furniture showroom, are  
12 you allowed to put a signage inside  
13 your store, that's visible from the  
14 outside, that is "X" amount of feet  
15 from -- from the storefront?

16 MR. COE: No, no, not under the  
17 way it is set up now, you can't.

18 MR. RIEL: I can't remember.

19 MR. COE: That's another sign.

20 MS. KEON: I don't think so.

21 MR. BEHAR: Well, I think you can.

22 MR. RIEL: I don't believe so.

23 MR. SALMAN: I think you can. I  
24 think you can.

25 MR. BEHAR: I think you can. I



1 think, if you put it more than five  
2 feet, you could --

3 MS. KEON: You know, I remember --

4 MR. SALMAN: Yeah, looks like a  
5 big sales sign.

6 MS. KEON: Inside your entry?

7 CHAIRMAN KORGE: In your window.

8 MR. SALMAN: Inside your window.

9 MS. KEON: In your window? If  
10 it's in your window, it counts as a  
11 sign. If you put like a sales sign,  
12 like you have a --

13 MR. RIEL: Yeah, there's -- there's --

14 CHAIRMAN KORGE: Not on the  
15 window, inside the --

16 MR. BEHAR: Inside the business.

17 MR. RIEL: There's a certain  
18 distance that is visible that it does  
19 count as a sign. I just don't know  
20 where it's at right now.

21 MR. COE: Where's Liz? This is  
22 the type of question --

23 CHAIRMAN KORGE: Merchandise  
24 counts as a sign?

25 MS. KEON: You know, if you have a



1 -- no. If you have a shop, and you  
2 have a window, and there's like a ledge  
3 just inside the window and you have a  
4 sale sign that you set on that ledge,  
5 that's close to that window -- your  
6 window, your front of your building,  
7 they regard that as signage and they  
8 will -- Code Enforcement will --

9 CHAIRMAN KORGE: For identifying --  
10 identifying merchandise?

11 MR. KEON: Yes, they will. They  
12 will -- they will fine you or --

13 MR. COE: Yes, you are correct.  
14 You are correct, because I sat on the  
15 Code Enforcement Board, we did that.  
16 People got fined for that.

17 MS. KEON: Yeah, they do that.

18 MR. RIEL: She's correct. I just  
19 don't know where it's at.

20 MS. KEON: I don't remember  
21 either -- yeah --

22 MR. RIEL: Because I remember that  
23 discussion about visual -- or displays  
24 inside, they have to be set back a  
25 certain distance, and not visible, and



1 something like that, but I just can't  
2 put my finger on it right now.

3 MS. KEON: Right. Right, from the  
4 street or something like that.

5 MR. BEHAR: No, but we're not --  
6 (Simultaneous speaking.)

7 MR. BEHAR: But potentially you  
8 could have that issue, also, but if  
9 that's the way to control --

10 MS. KEON: I mean, I think people  
11 should be able to put, you know, very  
12 discrete signs, telling you that  
13 there's a sale in their store, as  
14 you're walking down the street.

15 I mean, I think that one, you  
16 know, business that was on the Mile,  
17 that had a sale, you know -- every day  
18 of the year, there was a sale, and  
19 they'd put those big sales signs up,  
20 but, I think, for somebody to  
21 discretely, you know, note that they're  
22 having a sale, I don't know, a couple  
23 of times a year or something, I don't  
24 really think you should --

25 MR. COE: So long as the sign fits



1 in with the dimensions, you have the  
2 name of the business, you allow a  
3 description of the business, but  
4 there's no limitation of that  
5 description, so long it fits in with  
6 the dimension of the sign, 'cause that  
7 the way it's set up now, right?

8 MS. KEON: No, I --

9 MR. COE: Or what this proposal  
10 alleges.

11 MS. KEON: No, currently --

12 MR. RIEL: No, this -- we're  
13 asking for your direction. It's going  
14 to be either/or and then we'll come  
15 back with the regs.

16 MR. COE: The way it's being  
17 proposed, the description would not  
18 have any limitation as to the number of  
19 words or the extent of the description,  
20 so long as it fits in with the sign,  
21 the sign size?

22 MR. RIEL: It will -- the  
23 limitation will be either a square  
24 footage size or a letter height or  
25 something to that effect.



1 MR. COE: Yeah, right, which the  
2 sign says.

3 MS. KEON: But could a restaurant,  
4 an Italian restaurant, could it have  
5 the name of their restaurant and then  
6 could have, "Italian cuisine"?

7 See, I don't think they're allowed  
8 to do that, right? You're prohibited  
9 from doing that now.

10 MR. RIEL: Yes.

11 MS. KEON: I really think that --  
12 I don't know how you would do that, but  
13 I think you -- I think the Planning  
14 Staff should look at that, to be able  
15 to allow a restaurant, in particular,  
16 to identify their cuisine in their  
17 signage, and whether it be maybe only  
18 on their plaque sign or it be on their  
19 canopy or their tenant sign, but that  
20 it should be in a way that allows them  
21 to convey the -- the cuisine, you know,  
22 to the public, in a very discrete  
23 manner.

24 MR. FLANAGAN: But they can't --  
25 they can't put that in the window sign?



1 MR. COE: No, they can't now.

2 MS. KEON: I don't think so. I  
3 think you can only have the name of  
4 your business.

5 MR. COE: That's -- that's -- you  
6 see, you're right. Then that's a  
7 problem.

8 MS. KEON: And I think you need --

9 MR. FLANAGAN: But then I think  
10 that's a broader issue that should be  
11 addressed, but I think, for this  
12 purpose of what's before us, I think  
13 the either/or, at least the way I look  
14 at it --

15 MR. COE: You should be able to  
16 describe what the business is.

17 MS. KEON: But I think --

18 MR. FLANAGAN: I think either/or  
19 -- you should be able to describe the  
20 business, I agree, but that's, I think,  
21 a different change to the Code.

22 MS. KEON: Well, I think they're  
23 asking us for a direction with regard  
24 to signage in general, no?

25 MR. FLANAGAN: I thought what's



1 before us was purely an either/or.

2 MR. COE: Restaurants are a  
3 particular problem, because, you know,  
4 it can say -- I'll give you a real  
5 example, not in this City. Something  
6 called Shangua (phonetic), and the  
7 description, of course, is a  
8 French-Chinese fusion restaurant, and  
9 you need to do that, because otherwise  
10 you wouldn't know what Shangua was, and  
11 in a lot of restaurants in that  
12 category, you have the name of a  
13 restaurant, and you have no idea what  
14 kind of restaurant you're walking into.  
15 They need to do that, so the public  
16 knows what there going to go into.

17 MS. KEON: Yes. I mean, I think  
18 you all could look at that, and, you  
19 know, somehow allow restaurants to be  
20 able to --

21 MR. RIEL: Understand. I don't  
22 want to open up the whole Sign Code.

23 MS. KEON: No.

24 MR. RIEL: I'm looking for your  
25 direction of either awnings or



1 canopies --

2 MS. KEON: Oh.

3 MR. RIEL: -- because I really  
4 don't want to go back into the Code and  
5 reopen this issue.

6 MR. COE: But you have -- but you  
7 have to put down what's going to be on  
8 the sign.

9 MS. KEON: But I think you should,  
10 with regard to that.

11 MR. COE: You just can't say, you  
12 can have this kind of sign, then where  
13 are you? What's on the sign?

14 CHAIRMAN KORGE: I guess, we'll  
15 work --

16 MR. FLANAGAN: It's going to be --  
17 under the current Code, it would be the  
18 name of the establishment, and I think  
19 what's before us tonight is, do we want  
20 tenant sign and canopy/awning sign or  
21 do we want one or the other?

22 CHAIRMAN KORGE: Yes, and what I'm  
23 hearing is -- what I'm hearing is that  
24 we would be -- might be receptive to  
25 both, awning and tenant sign, provided



1 that the -- they don't duplicate the --  
2 the name of the -- the business.

3 MR. RIEL: The content limitations.

4 CHAIRMAN KORGE: One is  
5 descriptive of the business, and might  
6 even be limited just to restaurants, I  
7 don't know. I mean --

8 MR. BEHAR: I don't know if you  
9 can limit it.

10 MR. COE: I don't know if you can  
11 call it content limitation.

12 MR. FLANAGAN: Between door, window --

13 CHAIRMAN KORGE: I don't know.  
14 It's commercial, so you probably could,  
15 but, you know, I'm not the lawyer for  
16 the Board.

17 The point is, what I'm hearing is  
18 that, yeah, we think there may be --  
19 might be useful to do both, but not if  
20 it's just repeating the name of the  
21 business.

22 MR. RIEL: Okay.

23 CHAIRMAN KORGE: Now, how you  
24 get -- there to here -- from here to  
25 there, I don't know.



1 MR. RIEL: We'll -- we'll get there.

2 MR. COE: Bring it back to us in  
3 August, Eric.

4 MR. SALMAN: My other -- my other  
5 idea, which was having to do with the  
6 canopies is, if they put in a plaque  
7 sign within the shape of the canopy,  
8 that's directed solely to the  
9 pedestrian, that they should be allowed  
10 to do that, because when you have a  
11 canopy, you can't see the building  
12 sign, if you're the pedestrian on that  
13 side of the street.

14 And if you're the building -- a  
15 person on the other side of the street,  
16 if the canopy -- if the plaque sign is  
17 within the confines of that plaque sign  
18 -- of that canopy, then -- then you're  
19 not necessarily subjected to it, but I  
20 don't know how many times I've on the  
21 side of the street looking for a  
22 restaurant, and I have to like cross  
23 the street to find it, and then go to  
24 it.

25 MR. RIEL: Okay.



1           MR. SALMAN: And so -- that is, I  
2 think, a valid point, with regard to  
3 these plaque signs that they be under  
4 the name restrictions that you -- the  
5 one foot by three foot, that if they  
6 can fit within the sign, directed  
7 solely to the pedestrian, that they  
8 should be allowed, as well.

9           MR. RIEL: But they are. I mean,  
10 they are --

11          MR. SALMAN: I know, but not  
12 necessarily count against your signs.

13          MR. COE: I think you got a sense  
14 of what we're looking for.

15          MR. RIEL: Okay. I will need a  
16 motion, though, because this is going  
17 to go to the Commission and come back.

18          MR. COE: And you've really got to  
19 be careful that you don't open things  
20 up, in spite of what we're saying, into  
21 First Amendment issues. That's -- that  
22 becomes a real mess.

23          MR. SALMAN: This is a tough one.

24          MR. RIEL: Well, I mean, if the  
25 Board's direction is to pursue awning



1 or canopy and tenant signage, subject  
2 to limitations pursuant to Planning  
3 Department's, you know, recommendation,  
4 we'll come -- that's sufficient to move  
5 forward, and then it will go to the  
6 Commission, and then we'll draft the  
7 regs and then come back. It will be a  
8 couple of months.

9 MR. SALMAN: So moved.

10 MR. BEHAR: I'll make a motion.

11 MR. SALMAN: So moved.

12 MS. KEON: So moved.

13 CHAIRMAN KORGE: Wait. Hold on.

14 What was the motion?

15 MR. BEHAR: Whatever he said.

16 (Simultaneous speaking.)

17 MR. COE: Hold on. You don't vote  
18 on a discussion item, do you?

19 MS. KEON: We'll make it --

20 MR. COE: Do you vote on a  
21 discussion item, point of order?

22 MR. RIEL: I need some direction.

23 Yeah -- no, if the Board -- the Board

24 can make a motion. Yeah -- no, I

25 need -- I need a motion from the Board.



1 MS. KEON: I'll make a motion to  
2 direct Planning Staff --

3 MR. RIEL: No, basically your  
4 motion is, the Planning and Zoning  
5 Board supports the addition or the  
6 ability to put both, an awning and  
7 canopy sign, and -- in association and  
8 with a tenant sign, subject to the  
9 Planning Department's input regarding  
10 size, context and other limitations.

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

12 MR. SALMAN: Second.

13 CHAIRMAN KORGE: Okay. There's a  
14 motion on the floor, and a second. Is  
15 there any more discussion on this  
16 issue?

17 MR. COE: Call the question.

18 CHAIRMAN KORGE: Would you call  
19 the roll, please?

20 MS. MENENDEZ: Jack Coe?

21 MR. COE: Yes.

22 MS. MENENDEZ: Jeff Flanagan?

23 MR. FLANAGAN: No.

24 MS. MENENDEZ: Pat Keon?

25 MS. KEON: Yes.



1 MS. MENENDEZ: Javier Salman?

2 MR. RIEL: Javier?

3 MR. SALMAN: Yes.

4 MS. MENENDEZ: Robert Behar?

5 MR. BEHAR: Yes.

6 MS. MENENDEZ: Tom Korge?

7 CHAIRMAN KORGE: Yes.

8 MR. SALMAN: It will come back to  
9 us.

10 MS. KEON: It's going to come back  
11 to us.

12 MR. SALMAN: We'll kill it then.

13 MS. KEON: You know, why is there  
14 -- I have more concerns with complaints  
15 about the permitting on the signs --

16 MR. BEHAR: Motion to adjourn, Mr.  
17 Chairman.

18 MR. COE: Hold on.

19 CHAIRMAN KORGE: Okay. Well, the  
20 next meeting is definitely August 12th?  
21 We're going to do -- the meeting's  
22 adjourned.

23 (Thereupon, the meeting was adjourned  
24 at 6:40 p.m.)

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C E R T I F I C A T E

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

I, NIEVES SANCHEZ, Court Reporter, and a  
Notary Public for the State of Florida at Large,  
do hereby certify that I was authorized to and  
did stenographically report the foregoing  
proceedings and that the transcript is a true and  
complete record of my stenographic notes.

DATED this 15th day of July, 2009.

\_\_\_\_\_  
NIEVES SANCHEZ

