

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2009-47 (AS AMENDED)

AN ORDINANCE OF THE CITY COMMISSION AMENDING THE PREVIOUS CONDITIONS OF APPROVAL (ORDINANCE NO. 3587) AND CHANGES TO THE PREVIOUSLY APPROVED SITE PLAN FOR THE COUNTRY CLUB OF CORAL GABLES TO INCLUDE ENCLOSED/OPEN AIR OUTDOOR AREA ON WEST SIDE OF PROPERTY AND IMPROVEMENTS TO EXISTING PORTE-COCHERE ON THE REAR OF THE PROPERTY, LEGALLY DESCRIBED AS LOTS 1-9 AND 37-39, BLOCK 32, SECTION "B" (997 NORTH GREENWAY DRIVE), CORAL GABLES, FLORIDA, AND INCLUDING REQUIRED CONDITIONS; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board on April 10, 2002 and May 8, 2002 at which hearings all interested persons were afforded an opportunity to be heard on Application No. 02-02-037-P, submitted by Granada LLC, City of Coral Gables, owner, recommended approval of the proposed site plan for renovations and improvements to the Country Club of Coral Gables; and

WHEREAS, the City Commission after due consideration at its regular meeting of June 6, 2002 approved the site plan on first reading and on second reading on July 23, 2002; and

WHEREAS, the operator of the country club facility desires to amend the previous conditions of approval in Ordinance No. 3587 and desires changes to the approved site plan to include outdoor dining on south side of property facing North Greenway Drive, enclosed/open air outdoor area on west side of property and improvements to existing porte-cochere on the rear of the property; and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one thousand (1000) feet, public hearings were held before the Planning and Zoning Board of the City of Coral Gables on September 16, 2009, at which hearings all interested persons were afforded the opportunity to be heard; and

WHEREAS, site plan review are required to permit the proposed revisions to the previously approved "Country Club of Coral Gables" site plan; and

WHEREAS, the conditions of approval required by Ordinance No. 3587 for the previously approved site plan remain in effect except as amended herein and with revised plan references; and

WHEREAS, at a public hearing held on September 16, 2009, the Planning and Zoning Board recommended approval of the amendments to the previous conditions of approval and site plan with conditions (vote: 5-2); and

WHEREAS, the City Commission held a public hearing on September 22, 2009 at which hearing all interested persons were afforded an opportunity to be heard and this application was approved on first reading with conditions and modifications (vote: 4-1);

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption.

SECTION 2. The proposed amendments amending the previous conditions of approval (Ordinance No. 3587) and changes to the previously approved site plan for the Country Club of Coral Gables to include outdoor dining on south side of property facing North Greenway Drive, enclosed/open air outdoor area on west side of property and improvements to existing porte-cochere on the rear of the property (as shown herein in underline format):

1. Construction of the proposed project shall be in conformance with the following documents as modified subject to the conditions contained herein:
 - a. Site plan, building elevations and other associated documents prepared by Chris Consultants, originally dated May 17, 2002 as amended, and dated August 31, 2009.
 - b. Landscape plan (referenced as Drawing 2-B), prepared by Witkin Design Group, originally dated May 17, 2002 as amended and dated August 31, 2009.
 - c. Traffic impact study prepared by Civil Works, Inc., dated January, 2002.
 - d. Any construction of new buildings, additions to existing buildings or changes to the plans and drawings referenced above unless specified herein shall require Planning and Zoning Board and City Commission review and final approval in ordinance form.
 - e. Improvements and/or conditions contained herein unless otherwise specified shall be completed at receipt of final Certificate of Occupancy.
 - f. All representations and exhibits as prepared and provided to the Planning Department as a part of the application submittal package dated April 4, 2002 and revised on May 1, 2002, and May 17, 2002 and August 31, 2009, and date stamped September 3, 2009.
2. Prior to issuance of a building permit, all conditions of approval recommended by the City Commission as a part of this revision shall be included within an updated Restrictive Covenant subject to City Attorney review and approval.
3. The applicant, its successors or assigns, shall adhere to the following conditions:
 - a. The Use Agreement between the City of Coral Gables and the Country Club of Coral Gables, dated 09.02.04 shall remain in effect. This Use Agreement shall be reviewed by the City on an annual basis (January of each year) to determine changes, modifications, etc., as necessary to ensure the surrounding properties are not negatively impacted by off-site parking and circulation.
 - b. No standing, stopping or storage of vehicles shall be permitted associated with the use of

the facility along Alhambra Circle rights-of-way, including but not limited to swale and median. The City will install the necessary no parking signage and enforce accordingly.

- c. The management of the Country Club, its successors or assigns shall provide valet service for all events where it is determined that more than 124 vehicles will be stored and/or parked at the facility. Determination of the use of the valet parking shall be at the discretion of the Country Club management. If at any time it is determined that parking and traffic circulation during events causes negative impacts on the surrounding properties or neighborhood, the City may reconsider the application as a part of the public hearing process before the City Commission and reassess possible other alternatives or appropriate measures regarding the operation of the Country Club and/or parking management to correct any potential negative impacts.
- d. Employees will be required to park at off-site parking facilities during major planned events and upon initiation of valet service as identified within the applicant's submittal package.
- e. All truck deliveries will be made to the designated service area and shall be permitted from 7:00 a.m. to 7:00 p.m. Monday thru Saturday. Trash removal shall only be permitted between the hours of 7:00 a.m. and 5:00 p.m. Monday thru Saturday.
- f. Trucks or other similar vehicles delivering or picking up goods, products, merchandise, etc. to the facility may not park or stop outside the confines of the identified service area. All such activities shall occur within the service area.
- g. The service area and trash dumpster area shall be screened with an eight (8) foot high decorative screening gate, four (4) high masonry wall and continuous, thick eight (8) foot high (hedge) landscaping. The hedge shall be maintained in perpetuity at a height of eight (8) feet.
- h. No outside storage of merchandise, goods or other products shall occur outside the confines of the service yard enclosure or any other portions of the site.
- i. Landscaping that expires shall be replaced on a 1 to 1 ratio (caliber size lost shall be replaced with identical caliber). The selection of replaced materials, location and other applicable standards shall be subject to Public Service Director's review and approval.
- j. All costs associated with the installation and maintenance of landscaping, irrigation and any other improvements for the property and within the rights-of-way, etc., shall be the responsibility of the applicant.
- k. Parking lot night lighting shall be reduced after 2:00 a.m. to minimum allowable standard as established by the applicable Building Code.
- l. No amplified music or similar address/pager systems shall be permitted outside the confines of the building at any time (day or night).
- m. Hours of operation of the County Club shall be between 7:00 a.m. and 1:00 a.m.
- n. No additional signage including, but not limited to, menu boards, special event advertising, etc., shall be permitted.
- o. No tables, chairs, and umbrellas shall be permitted outside the Country Club between the structure and North Greenway Drive.
- p. Primary valet service for the facility shall occur from the rear porte-cochere. Secondary valet service station along the North Greenway Drive public right-of-way shall be limited to Friday and Saturday nights between the hours of 5:00 p.m. and 11:00 p.m. Valet patrons after 11:00 p.m. shall retrieve all vehicles at the rear valet service porte-cochere area. Signage shall be provided at the front valet station indicating valet service will be available after 11:00 p.m. in the rear of facility. The valet service station located on North Greenway Drive shall conform with the Use Agreement and all established City requirements.

SECTION 3. All rights, actions, proceedings and Contracts of the City, including the City Commissioners, the City Manager, or any of its departments, boards or officers undertaken pursuant to the existing code provisions, shall be enforced, continued, or completed, in all respects, as though begun or executed hereunder.

SECTION 4. All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 5. If any section, part of session, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

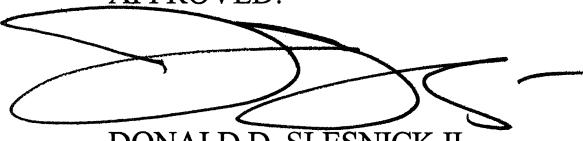
SECTION 6. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 7. That this ordinance shall become effective ten days upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF OCTOBER, A.D. 2009.

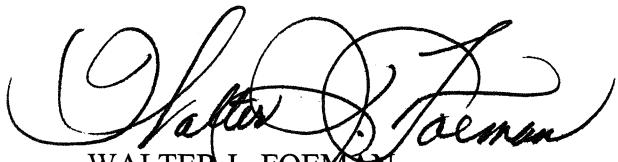
(Moved: Kerdyk / Seconded Withers)
(Yea: Withers, Kerdyk, Slesnick)
(Nays: Anderson)
(Majority: 3-1 Vote)
(Abstentions: Cabrera)
(Agenda Item: E-1)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY