

City of Coral Gables City Commission Meeting
Agenda Item G-14
July 9, 2019
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors, Jr.
Commissioner Pat Keon
Commissioner Michael Mena

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Deputy City Attorney, Cristina Suarez

Public Speaker(s)

Agenda Item G-14 [3:13:16 p.m.]

A discussion regarding outdoor seating at Wolfe's Wine Shoppe
(Sponsored by Vice Mayor Lago)

Mayor Valdes-Fauli: Discussion regarding outdoor seating at Wolfe's Wine Shoppe.

Vice Mayor Lago: I just wanted to briefly bring this to your attention. As some of you are aware on the Commission, on 2017, Resolution 34 allowed Wolfe's Wine Shoppe to sell wine by the glass on the premises and once the streetscape was completed, they applied for outdoor seating, I think they applied for two outdoor seats and they were denied. So, I wanted to bring this before you, I wanted our esteemed attorney to kind of talk a little bit about what we have in store today and appeal to the Commission to see if there is any appetite in reference to a possibility of allowing them to sit outside.

Deputy City Attorney Suarez: Good afternoon Mayor and Commissioners. As Vice Mayor Lago mentioned, in 2017 Wolfe's Wine Shoppe was allowed to sell wine by the glass as a non-restaurant
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facility pursuant to that procedure under the City Code. When they applied for outdoor seating, the application was rejected because there is no provision currently in our Zoning Code that allows outdoor seating unless its in connection with a restaurant. So, we have provisions for outdoor seating on private property and outdoor seating, excuse me, outdoor dining on private property and public property, but only in connection with a restaurant.

Mayor Valdes-Fauli: Or if it's a Barber shop and you cut the hair outside, you can also serve, right?

Deputy City Attorney Suarez: Its not about serving. There is no seating – there is no provision for outdoor seating for any kind of establishment.

Mayor Valdes-Fauli: Because he has a barber chair.

Deputy City Attorney Suarez: If there is an appetite for making a change, we are happy to hear your direction.

Vice Mayor Lago: I just want to make it really brief. This is my idea behind this, OK. Mr. Cejas made a very good point that maybe we should restrict this to the overlay what we were talking about, number one; number two, then I spoke to Miriam, I want this to come to be approved by the Manager and then come to the City Commission whenever we consider allowing these types of exceptions. Why do I think that this makes sense? Wolfe's Wine Shoppe has been open since 2001, Wolfe's, thank you Commissioner. Wolfe's Wine Shoppe has been open since 2001, I've been buying wine there for years. He doesn't recognize me until recently, but they've been buying wine from them for a long time. They are the leading wine seller, retailer probably in Miami-Dade County. They have wonderful, independent wine growers which provide them with some of the best wines in the country and internationally. Yes, they are very, very good. They have some incredible options for people. This is a first-class facility, you know they do everything the right way. Why I think this is an option for us today to even consider is, because we allow for wine and beer to be sold at a barber shop, which now when I think about it again, I should have voted no on that. I think it's ridiculous. If we are going to approve that and ...

Mayor Valdes-Fauli: It requires that the barber chairs be on the sidewalk.

Vice Mayor Lago: So, the issue here is and the final point of my discussion with staff was, what are we going to do about, for example, the barber shop, or the tobacco shop that we allowed for them to serve wine and liquor. Well they will never have an option to sit outside because they wouldn't meet the ADA compliance, because the sidewalk there is very, very tight. On Miracle Mile it's a different story. What we are looking here is potentially between two and four tables with two chairs per table or eight chairs. I think it's a no-brainer, it would allow people to enjoy

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their beverage on Miracle Mile, bring some life to Miracle Mile and I think it should be approved only by the Commission. It should be a case-by-case consideration. Did I miss any points Madam City Attorney?

City Attorney Ramos: No. So currently, in order to do all of these things, we would need to amend likely the City Code and the Zoning Code, which of course we are happy to bring back, we just need to get feedback.

Vice Mayor Lago: But beyond even amending it, I want to see if my colleagues agree with me that this is an idea where, we are not asking for a full liquor bar, they already serve it inside, you can have a glass of wine. This is about a person being able to sit outside and just enjoy.

Commissioner Fors: Before you put that on the agenda, I had already spoken to Devin Cejas, not about Wolfe's Wine Shoppe, but about Galiano, the cigar shop, and they are able to have outdoor seating, not on the sidewalk because that probably would violate ADA, but they have another area.

Vice Mayor Lago: The reason why I said violate ADA, because if you look at that barber shop that we approved and the cigar shop that we approved near there, you are talking about maybe six feet. There is no way you can put a small table, even a high-top with any chairs.

Commissioner Fors: You might be talking about another cigar shop, I'm not sure.

Vice Mayor Lago: The cigar shop I'm talking about is off Sunset, that's the one that we approved.

Commissioner Fors: OK – no.

Commissioner Keon: You are talking about the one right here on Galiano.

Commissioner Fors: Galiano – So they plan to have outdoor seating there in the back, which is a slightly different situation, because they actually want to put their outdoor seating on private property, not even on the right-of-way. I am instructing and ask the City Attorney, now that she is going to take a look at this in the context of Wolfe's Wine Shoppe, to also take a look at it in the context of Galiano, I think that situation is also a no-brainer, and I have a very strong appetite for adjusting it. I believe one idea that the City Attorney had or maybe it was you, was to maybe tie it to the ancillary use of alcohol or conditional use of alcohol.

Deputy City Attorney Suarez: The approval process through the non-restaurant, through the City Clerk for non-restaurant facilities to serve alcohol.

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Commissioner Fors: Maybe use it...

Deputy City Attorney Suarez: Meaning only those non-restaurant facilities with approval to serve alcohol would even be able to apply for this outdoor seating.

City Attorney Ramos: The thing we'd have to address here though then is, this is outside the overlay.

Vice Mayor Lago: And I'm happy you brought that up, because obviously when you are discussing its outside the overlay, we don't have to apply that, but I want to make sure that people understand this community, this is not Key West bars, we are not pulling open liquor. No, no, we are talking about, it has to come before the Commission and these are no-brainer opportunities to just bring a little bit more – if a person wants to sit outside and they don't want to go inside the restaurant or excuse me, inside the store and have a glass of wine, they should be able to sit outside under a great Coral Gables evening.

Commissioner Keon: I don't have any problem with it at all. The only thing that I would ask is like, Wolfe's only has 25, I think it's only a 25-foot...

Vice Mayor Lago: Sidewalk?

Commissioner Keon: No – storefront, aren't they? You need to limit the number of tables that they can have when its such a narrow space, so that they maintain that 10-foot open space between the front of the store and where it starts.

Vice Mayor Lago: That's why he...the fences and gave me four tables and if you remember, I just said two to four.

Commissioner Keon: Yes – because you can't put a chair in the – well, unless you put it that way and they need to stay out of the planters.

City Manager Iglesias: Commissioner we already have a plan that deals with where the tables can go, that deals within the property 10 feet clear of the sidewalk, so that's already delineated, and we'll be looking at that.

Commissioner Keon: Mr. Cejas and I took a walk on the Mile, poor guy in the heat in his jacket, on Giralda, and looked at how compliant our restaurants are with that and they are not. They are not compliant at all.

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City Manager Iglesias: We'll be looking at that.

City Attorney Ramos: Also, to that point...

Commissioner Keon: OK, they are somewhat compliant.

City Attorney Ramos: Also, to that point, that overlay, that restriction is only in the overlay.

Deputy City Attorney Suarez: But there are other restrictions in general for outdoor seating.

City Attorney Ramos: But I think what the Manager is referring to with regard to...

Deputy City Attorney Suarez: Miracle Mile and Giralda specifically.

Commissioner Keon: Specifically on...

City Manager Iglesias: Outside of Giralda it's a public works issue, because we must meet certain clearances for traffic, ADA, and so if they cannot comply with that from a public works perspective, you can't get outside seating when you are outside.

Vice Mayor Lago: So, what I would like to do...

Commissioner Keon: I don't have a problem with that. As long as you limit the number of seats that they have.

Vice Mayor Lago: I'd like to bring legislation to the next Commission meeting and then at that point we'll decide as a Commission, like Commissioner Keon just stated, the arrangement, we'll leave it up to staff, to make sure it fits. I don't want to have ten tables out there when Commissioner Keon is hundred percent correct, the frontage of the building just wouldn't be appealing.

City Attorney Ramos: So, we just need some direction. So, we'll look at the frontage of the building.

Vice Mayor Lago: Obviously.

City Attorney Ramos: We'll limit it for the moment to the overlay, with the exception of private property, on the outside be overlay.

Deputy City Attorney Suarez: Just to be clear though, the B.I.D. overlay or just Miracle Mile and Giralda?

Commissioner Keon: Miracle Mile and Giralda.

Deputy City Attorney Suarez: Miracle Mile and Giralda.

Vice Mayor Lago: That's the point. That was a very good point that was brought up by Mr. Cejas. The whole point is to continue building a life of downtown. Having people come and site outside and enjoy themselves.

Commissioner Mena: And also, sorry, did you have another follow-up question?

City Attorney Ramos: I was going to say, because its going to require a City Code change and a Zoning Code change, perhaps we bring the City Code change first and then go to P&Z (Planning and Zoning) for the Zoning Code change.

Vice Mayor Lago: I want to see this brought to the next Commission meeting and I'll tell you why, because we are going into the season now and there are opportunities. I don't want this to linger on and have an individual, like Commissioner Fors just brought up, who its on private property, he should be able, or she should be able to have those two/four chairs and enjoy the season. Its going to be great coming up September, October, November.

City Attorney Ramos: We'll bring both and maybe go to P&Z in between First and Second Reading, maybe that's a better way to do that.

Commissioner Fors: And also, I think would it be ideal to even avoid so many changes is, if you could analyze, maybe you have already, the fact that its on private property, we can get an interpretation from the City Attorney that they are allowed to have seating there and that the restriction doesn't apply to them, then we can solely deal with.

City Attorney Ramos: We looked at it, we didn't feel that we had enough there.

Vice Mayor Lago: Let's go the legislative route and really present something at the next Commission meeting.

Mayor Valdes-Fauli: Will you draft that Madam City Attorney?

City Attorney Ramos: Yes, of course.
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Mayor Valdes-Fauli: OK. Thank you.

Commissioner Keon: Its just that they have to really look at what would be the appropriate number of tables, because I'd like to make sure that...There is one particular restaurant-bar, whatever it is along there, that has a tremendous number of tables.

City Manager Iglesias: Commissioner, they've been clearly defined and that's one of the reasons that – that's one of the issues that we are going to have Code Enforcement monitor that now.

Deputy City Attorney Suarez: And we'll work closely with Mr. Cejas.

Commissioner Fors: And are we going to tie it finally to conditional use places?

Vice Mayor Lago: Yes. It has to be a conditional.

Commissioner Mena: I just wanted to ask Economic Development or whoever the appropriate person is, to reach out to like the B.I.D., the Chamber, to kind of get a feel for what their thoughts are.

Vice Mayor Lago: I spoke to Mark and you are correct, I would love to see an e-mail or something in writing saying they support this change.

Mayor Valdes-Fauli: Thank you.

[End: 3:24:30 p.m.]