



**City of Coral Gables**  
**CITY COMMISSION MEETING**  
**September 22, 2015**

**ITEM TITLE:**

**Ordinance on First Reading. Conditional Use with Site Plan Review.** An Ordinance of the City Commission of Coral Gables, Florida requesting conditional use with site plan review pursuant to Zoning Code Article 3, "Development Review", Division 4, "Conditional Uses", and Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-204, "Special Use (S) District", for an amendment to an approved site plan and previous conditions of approval (Ordinance No. 2009-47) for an existing country club located within a Special Use (S) zoned district, for the property commonly referred to as the "Coral Gables Country Club" and legally described as Lots 1-9 and 37-39, Block 32, Coral Gables Section "B" (997 North Greenway Drive), Coral Gables, Florida; and including required conditions; providing for a repealer provision, providing for a severability clause, and providing for an effective date.

**DEPARTMENT HEAD RECOMMENDATION:**

Approval.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

The Planning and Zoning Board at their 07.29.15 meeting recommended approval (vote: 4 yes – 1 no) of the Conditional Use with Site Plan Review with conditions.

**BRIEF HISTORY:**

The request is for conditional use with site plan review for an amendment to an approved site plan for an existing country club on property zoned (S) Special Use. Liberty Caffé has submitted an application for a proposed amendment to the previously approved site plan for the Coral Gables Country Club in order to add a paved area with six (6) tables for outdoor dining on the south side of the Coral Gables Country Club facing North Greenway Drive. The Planning and Zoning Board at their 07.29.15 meeting recommended approval (vote: 4 yes – 1 no) of the application for Conditional Use with Site Plan Review with conditions.

The Coral Gables Country Club has a site area of 3.215 acres, approximately 33,143 square feet of building, and is designated as an historic landmark. The proposal would add six (6) tables, twenty-two (22) chairs, and two (2) umbrellas in conjunction with the operation of the Liberty Caffé, which is open seven (7) days a week from 8:00 AM to 8:00 PM. No alterations are proposed to the structure of the existing Coral Gables Country Club. The existing landscaping will be enhanced with additional palms and plants that will buffer the proposed outdoor dining area from North Greenway Drive.

In 2009 a request for two (2) outdoor dining areas located between the Coral Gables Country Club and North Greenway Drive was presented to the Planning and Zoning Board and City Commission accompanied by requests for an enclosed/open air outdoor area on the west side of the property and for improvements to the existing porte-cochere on the north side of the property. On October 13, 2009 the City Commission approved on 2nd Reading, via Ordinance Number 2009-47 (see Exhibit A), the

requests for the enclosed/open air outdoor area and improvements to the existing porte-cochere. However, this approval included the elimination of the two (2) outdoor dining areas proposed on the south side of the property facing North Greenway Drive as a result of opposition by neighbors.

The applicant's original proposal in 2009 included ten (10) tables and umbrellas with forty (40) chairs for the outdoor dining area located in front of the Liberty Caffé and an additional thirteen (13) tables with fifty-two (52) chairs for a restaurant that was to be located within the Coral Gables Country Club. After that request was denied by the City Commission the applicant presented a reduced outdoor dining seating plan which included eight (8) tables and umbrellas with thirty-two (32) chairs for the outdoor dining area located in front of the Liberty Caffé and an additional eight (8) tables with thirty-two (32) chairs for the restaurant. This request was also opposed by neighbors and denied by the City Commission. The current proposal by the Applicant further reduces the amount of tables, umbrellas and chairs for the Liberty Caffé to six (6) tables, twenty-two (22) chairs, and two (2) umbrellas and does not include any other locations for tables or chairs.

The current Application includes a significant reduction in paved area and amount of total seating from past proposals. In recognizing past opposition from neighbors, Staff has included conditions of approval limiting the hours of operation, activities and access to the outdoor dining area from the Liberty Caffé in order to mitigate potential conflicts. Staff recommends amending Ordinance No. 2009-47 to include the following conditions of approval:

- Tables, chairs, and umbrellas shall be permitted outside the Country Club between the structure and North Greenway Drive as identified in the plans submitted by the applicant prepared by architect Manuel A. Vega dated June 6, 2014 subject to the following conditions:
  - Hours of operation for cafe outdoor dining shall be from 8:00 a.m. to 8:00 p.m. seven (7) days a week.
  - No other activities other than outdoor dining shall be permitted within the café dining area facing North Greenway Drive.
  - There shall be no pedestrian/patron access to the enclosed/open air outdoor dining area located on west side of property identified as the "Outside Colonnade Plaza" on site plans prepared by Chris Consultants dated September 30, 2009 (see Exhibit B).

The draft Ordinance is provided as Exhibit C, Staff's report and recommendation is provided as Exhibit D, comments and issues discussed by the Planning and Zoning Board at their meeting are presented in the meeting minutes provided as Exhibit E, and Staff's PowerPoint Presentation is provided as Exhibit F.

### **City Legislative History**

The following is a chronology of previous City approvals/legislation affecting the subject property:

1. Ordinance No. 3587 (adopted 07.23.2002). Site plan approval for the enlargement of the existing kitchen, pre-function room and second floor fitness room, and addition of meeting rooms, additional bathrooms and installation of new landscaping and site improvements both on the property and public rights-of-way with conditions of approval restricting signage and outdoor tables, chairs and umbrellas between the Country Club and North Greenway Drive and Granada Boulevard.
2. Ordinance No. 2009-47 (adopted 10.13.2009). Amending previous conditions of approval in Ordinance No. 3587 to permit an enclosed/open air outdoor area on the west side of the property and improvements to the existing porte-cochere on the rear of the property. Condition of approval remains restricting signage and reduced to restrict outdoor tables, chairs and umbrellas between the

Country Club and North Greenway Drive only. Condition of approval added regarding valet service for the facility (see Exhibit A).

3. Resolution No. HPR196-COASP2014-02 (adopted 05.08.2014). Variance granted by the Historic Preservation Board to allow for reduced setback of keystone pavers along North Greenway Drive (see Exhibit G).
4. Resolution No. HPR197-COASP2014-02 (adopted 05.08.2014). Variance granted by the Historic Preservation Board to allow for reduced setback of keystone pavers along Granada Boulevard (see Exhibit H).
5. Resolution No. HPR198-COASP2014-02 (adopted 05.08.2014). Variance granted by the Historic Preservation Board to allow for reduced landscaped open space requirements (see Exhibit I).

**Historic Preservation Board Review**

The Historic Preservation Board on May 8, 2014 granted variances for the following:

1. To allow the proposed keystone pavers to have a setback facing upon North Greenway Drive of approximately thirteen (13) feet and eight (8) inches versus a minimum setback of thirty-five (35) feet as required by Site Specific Zoning Regulations.
2. To allow the proposed keystone pavers to have a setback facing upon Granada Boulevard of approximately forty-six (46) feet and nine (9) inches versus a minimum setback of fifty (50) feet as required by Site Specific Zoning Regulations.
3. To allow the property to provide approximately nineteen and four-tenths of one percent (19.4%) landscaped open space versus the requirement to provide landscaped open space of not less than thirty-five (35%) percent of the area of the building site.

The Staff Report prepared by the Historical Resources Department for the May 8, 2014 Historic Preservation Board meeting is included as Exhibit J. Public comments provided to the Historic Preservation Board regarding the variances are included as Exhibit K. The applications for an appeal from the Historic Preservation Board’s decision to grant variances filed by Donald D. Slesnick II, Jeannette Slesnick, Vincent Damian, and Carol Damian are included as Exhibit L.

For the purposes of the Agenda the Historic Preservation Board Appeal, Agenda Item E-1, and the application for Conditional Use with Site Plan Review heard by the Planning and Zoning Board, Agenda Item E-3, are two separate items that are related and, at the recommendation of the City Attorney, should be heard concurrently pursuant to Sec. 2-608(B) of the City of Coral Gables Zoning Code.

**LEGISLATIVE ACTION:**

Date:	Resolution/Ordinance No.	Comments
N/A		



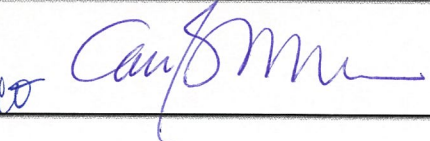
**OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):**

Date	Board/Committee	Comments (if any)
07.29.15	Planning and Zoning Board	Recommended approval (vote: 4 yes – 1 no) with conditions.

**PUBLIC NOTIFICATION(S):**

Date	Form of Notification
07.17.15	Courtesy notification mailed to all property owners within 1,000 feet of the boundary of the subject property for Planning and Zoning Board meeting.
07.17.15	Property posted for Planning and Zoning Board meeting.
07.16.15	Legal advertisement published for Planning and Zoning Board meeting.
07.21.15	Planning and Zoning Board meeting agenda posted at City Hall.
07.24.15	Planning and Zoning Board meeting agenda, staff recommendation, legal notice and all attachments posted on City web page.
09.18.15	City Commission meeting agenda posted on City web page.

**APPROVED BY:**

Department Director	City Attorney	City Manager
		

**EXHIBIT(S):**

- A. Ordinance No. 2009-47.
- B. Site plan prepared by Chris Consultants dated September 30, 2009 identifying the “Outside Colonnade Plaza” referenced as a condition of approval.
- C. Draft Ordinance – Amending Ordinance No. 2009-47.
- D. 07.29.15 Planning Division Staff report and recommendation with attachments.
- E. 07.29.15 Excerpts of Planning and Zoning Board Meeting Minutes.
- F. PowerPoint Presentation.
- G. Historic Preservation Board Resolution No. HPR196-COASP2014-02.
- H. Historic Preservation Board Resolution No. HPR197-COASP2014-02.
- I. Historic Preservation Board Resolution No. HPR198-COASP2014-02.
- J. 05.08.14 Historical Resources Department Staff Report.
- K. Public comments provided to the Historic Preservation Board.
- L. Applications filed for appeal from Historic Preservation Board.