

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

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 2-204, "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.

WHEREAS, the operator of the Liberty Caff , located within the Coral Gables Country Club, is requesting an amendment to the approved site plan for the existing country club located on property zoned (S) Special Use to include outdoor dining on the south side of the property facing North Greenway Drive, requiring amendments to the previous conditions of approval provided within Ordinance No. 2009-47; and,

WHEREAS, after notice of a public hearing being duly published and a courtesy public notice was mailed to all property owners of record within a one-thousand (1000) foot radius from said property, a public hearing was held before the Planning and Zoning Board on July 29, 2015, at which hearings all interested persons were afforded the opportunity to be heard; and,

WHEREAS, at the July 29, 2015 Planning and Zoning Board meeting, the Board recommended approval (vote: 4 yes – 1 no) of the Application subject to conditions of approval for the 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 to include outdoor dining on the south side of the property facing North Greenway Drive; and,

WHEREAS, pursuant to Section 3-402 of the Zoning Code all applications requiring conditional use with site plan review are subject to a public hearing for City Commission review and approval as a Conditional Use via Ordinance in accordance with the review criteria therein; and,

WHEREAS, a public hearing was held before the City Commission on September 22, 2015 at which hearing all interested parties were afforded the opportunity to be heard and this application for conditional use with site plan review was approved on First Reading with conditions (vote: __ - __).

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

SECTION 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by reference and incorporated as if fully set forth in this Section.

SECTION 2. The proposed amendments amending the previous conditions of approval (Ordinance No. 2009-47) 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 (as shown herein in ~~strike thru~~ / underline format) are as follows:

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, with modifications as shown in plans prepared by architect Manuel A. Vega dated June 6, 2014.
 - 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, with modifications as shown in plans prepared by architect Manuel A. Vega dated June 6, 2014.
 - 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, 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 park-

ing 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 as identified in the plans submitted by the applicant prepared by architect Manuel A. Vega dated June 6, 2014 subject to the following conditions:-
 - 1) Hours of operation for cafe outdoor dining shall be from 8:00 a.m. to 8:00 p.m. seven (7) days a week.
 - 2) No other activities other than outdoor dining shall be permitted within the café dining area facing North Greenway Drive.
 - 3) 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.

- 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. This ordinance shall become effective _____, 2015.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2015.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY