



# City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables  
 Application: **Conditional Use - Wolfe’s Wine for Sidewalk Cafe**  
 Public Hearing: Planning and Zoning Board  
 Date & Time: **January 8, 2020; 6:00 – 9:00 p.m.**  
 Location: City Commission Chambers, City Hall,  
 405 Biltmore Way, Coral Gables, Florida 33134

## 1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

*A Resolution of the City Commission of Coral Gables, Florida granting conditional use approval pursuant to Zoning Code Article 4, “Zoning Districts,” Section 4-206, “Business Improvement Overlay District (BIOD)”, to permit outdoor seating fronting Miracle Mile for a nonrestaurant facility Wolfe’s Wine Shoppe on property legally described as Lots 16 and 17, Block 3 of Crafts Section (124 Miracle Mile); including required conditions; providing for severability, repealer, and an effective date.*

The request requires two public hearings, including review and recommendation by the Planning and Zoning Board, and approval via Resolution by the City Commission.

## 2. BACKGROUND INFORMATION

An application has been submitted by Wolfe’s Wine Shoppe, a 19-year-old commercial business, requesting tables and chairs for open-air seating on Miracle Mile. The Zoning Code was amended per Ordinance No. 2019-34 in October 8, 2019, requiring all non-restaurant facilities to obtain Conditional Use approval to allow open-air seating for non-restaurant facilities on Miracle Mile and Giralda Plaza. The procedure requires public meetings and review/approval by the Development Review Committee (DRC), Board of Architects, Planning & Zoning Board, and City Commission.

Currently, Wolfe’s Wine Shoppe can sell alcoholic beverages by the glass for consumption on the premises by Resolution No. 2017-34 as a non-restaurant establishment. The proposed request will allow this business to serve its patrons on Miracle Mile.

## 3. REVIEW TIMELINE / PUBLIC NOTICE

### City Review Timeline

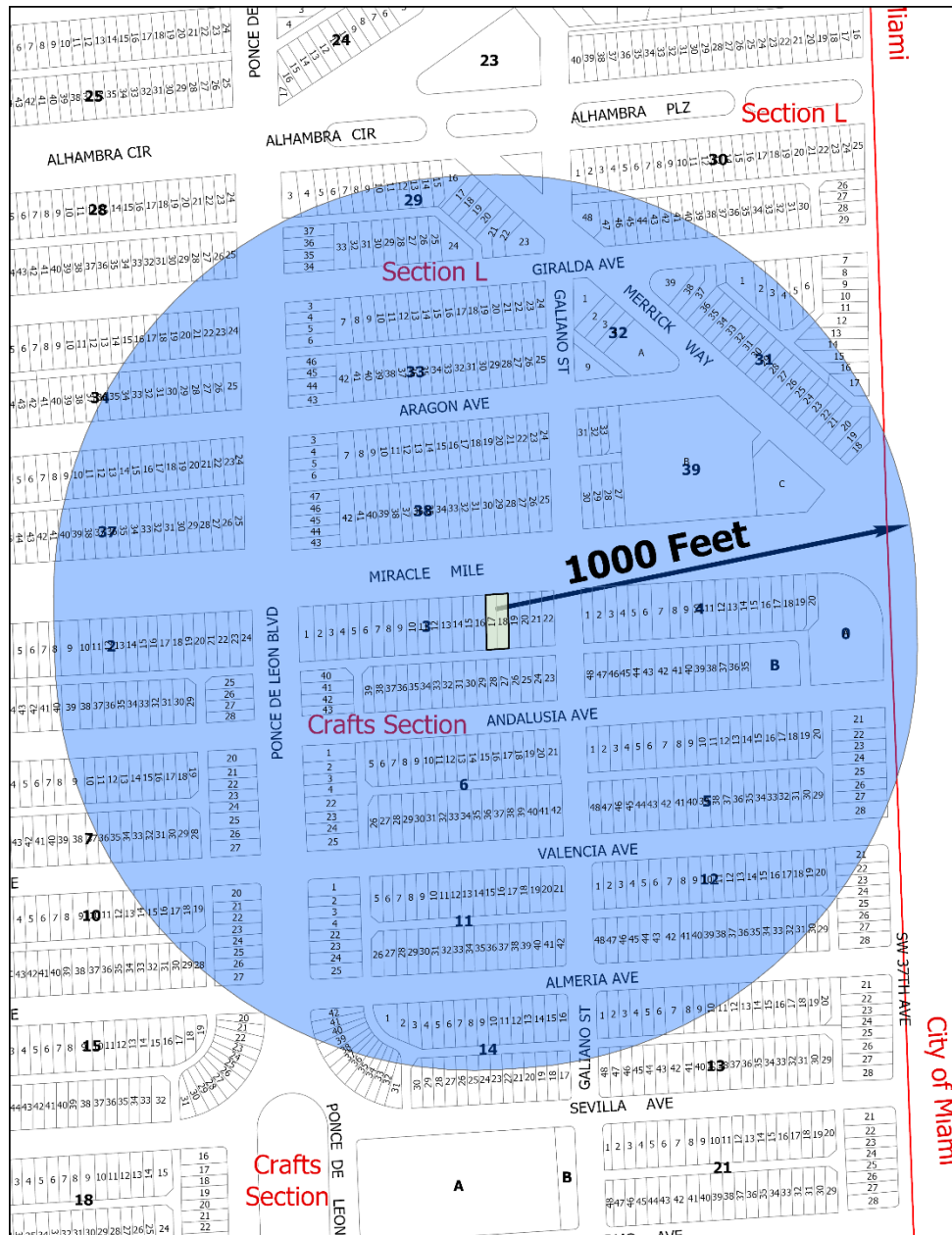
The submitted applications have undergone the following City reviews:

REVIEW COMMITTEES AND BOARDS	DATE
Development Review Committee	12.06.19
Board of Architects	01.02.20
Planning and Zoning Board	01.08.20
City Commission	TBD

### Public Notification and Comments

The Applicant complied with the Conditional Use noticing procedure that included mandatory neighborhood meeting and mailed Public Meeting notification to all property owners within 1,000 feet of the property. A copy of the meeting invitation and summary is provided as an Attachment B.

Approximately 886 notices were prepared to be mailed by the applicant to all property owners within 1,000 feet of the property. A copy of the legal advertisement and courtesy notice are provided as Attachments C and D, respectively. A map of the notice radius is provided below.



Notice was provided as follows:

Public Notice	Date
Courtesy notification	12.16.19
Applicant neighborhood meeting	12.30.19
Legal advertisement	12.27.19
Posted agenda on City web page/City Hall	12.27.19
Sign posting of property	12.27.19
Posted Staff report on City web page	01.03.20

**Board of Architects review :**

The proposed sidewalk seating application received preliminary approval from the Board of Architects on 01.02.20. However, applicant shall coordinate with the City Architect regarding proposed furniture selection during permitting review.

**4. FINDINGS OF FACT**

This section of the report presents City Staff’s evaluation of the Application and Findings of Facts. The City’s responsibility is to review the Application for consistency with the City’s Comprehensive Plan Goals, Objectives and Policies and compliance with the Zoning Code and City Code.

To provide an overview of the purpose and intent of the Conditional Use provisions, Zoning Code Article 3, “Development Review,” Division 4, “Conditional Uses,” Section 3-401, “Purpose and Applicability” provides for the following:

*“The purpose of providing for conditional uses within each zoning district is to recognize that there are uses which may have beneficial effects and serve important public interests, but which may, but not necessarily, have adverse effects on the environment, particularly residential areas, overburden public services, or change the desired character of an area. Individualized review of these uses is necessary due to the potential individual or cumulative impacts that they may have on the surrounding area or neighborhood. The review process allows the imposition of conditions to mitigate identified concerns or to deny the use if concerns cannot be resolved.”*

**Staff’s Findings:** Based upon the Findings of Facts provided herein, Staff finds the Application satisfies the provisions of the Zoning Code for the Conditional Use Review for the proposed sidewalk café for a non-restaurant facility.

Staff’s responsibility is to review the application in accordance with the criteria provided in Zoning Code Article 3, “Development Review”, Division 4, “Conditional Uses”, Section 3-408, “Standards for review” and provide Findings of Fact regarding the proposed application. Staff has compared the Applicant’s proposal with the review criteria set out in Zoning Code Section 3-408, and found that the application complies with the following standards and criteria:

A Conditional Use review must comply with Zoning Code Section 3-408, “Standards for Review” as follows:

STANDARD	STAFF EVALUATION
1. The proposed conditional use is consistent with and furthers the goals, objectives and policies of the Comprehensive Land Use Plan and	<b>Yes.</b> As concluded in this report, this Application is “consistent” with the CP’s Goals, Objectives and Policies with the recommended conditions of approval.

STANDARD	STAFF EVALUATION
further the purposes of these regulations and other City ordinances and actions designed to implement the Plan.	
2. The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.	<b>Yes.</b> The proposed use is compatible with the existing uses and is consistent with the planned uses in accordance with the Future Land Use vision for the area.
3. The proposed conditional use does not conflict with the needs and character of the neighborhood and the City	<b>Yes.</b> The proposed request will allow this business to take advantage of the streetscape and pre-approved locations for outdoor seating.
4. The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.	<b>Yes.</b> The Applicant’s proposal will not adversely or unreasonably affect the use of other adjoining, adjacent and contiguous properties in the area.
5. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures	<b>Yes.</b> The use is consistent with the surrounding uses.
6. The parcel proposed for development is adequate in size and shape to accommodate all development features.	<b>Yes.</b> The requested outdoor area is consistent with the pre-approved areas in Miracle Mile for Sidewalk Cafes in Public Right-of-Way.
7. The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.	<b>N/A</b>
8. The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.	<b>N/A</b>
9. The proposed conditional use satisfies the concurrency standards of Article 3, Division 13 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.	<b>Yes.</b> The proposed open-air seating will not adversely burden the sidewalk as proposed tables and chairs and are within the pre-approved areas.

**Consistency Evaluation of the Comprehensive Plan (CP) Goals, Objectives and Policies**

This section provides those CP Goals, Objectives and Policies applicable to the Application and the determination of consistency:

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
1	<b>Goal FLU-1.</b> Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources make the City a very desirable place to work, live and play.	Complies
2	<b>Objective FLU-1.1.</b> Preserve Coral Gables as a "placemaker" where the balance of existing and future uses is maintained to achieve a high quality living environment by encouraging compatible land uses, restoring and protecting the natural environment, and providing facilities and services which meet or exceed the minimum Level of Service (LOS) standards and meet the social and economic needs of the community through the Comprehensive Plan and Future Land Use Classifications and Map (see FLU-1: Future Land Use Map).	Complies
3	<b>Policy FLU-1.11.1.</b> Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.	Complies
4	<b>Goal DES-1.</b> Maintain the City as a livable city, attractive in its setting and dynamic in its urban character.	Complies
5	<b>Objective DES-1.1.</b> Preserve and promote high quality, creative design and site planning that is compatible with the City's architectural heritage, surrounding development, public spaces and open spaces.	Complies

*Staff comments:* Staff's determination that this application is consistent with the CP Goals, Objectives and Policies.


**5. STAFF RECOMMENDATION**

The Planning and Zoning Division recommends approval.

**6. ATTACHMENTS**

- A. Applicant's submittal package dated December 19, 2019.
- B. 12.30.19 Neighborhood Meeting and summary.
- C. 12.26.19 Courtesy notice to all property owners within 1,000 feet of the property
- D. 12.27.19 Legal notice.

Please visit the City's webpage at [www.coralgables.com](http://www.coralgables.com) to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,  
  
 Ramon Trias  
 Assistant Director of Development Services  
 for Planning and Zoning  
 City of Coral Gables, Florida

Resolution No. 2017-34

This resolution authorized Wolfe's Wine Shoppe to add the sale of Alcoholic beverages by the glass for consumption on premises. The City Commission approved the resolution after administrative review from the City Manager under Cathy Swanson and Assistant Peter Iglesias.

Wolfe's Wine Shoppe once the resolution was passed has secured the appropriate state licenses and has been utilizing the license since the resolution passed.

Wolfe's Wine Shoppe is requesting the ability to place tables and chairs out on the streetscape in front of 124 Miracle Mile. Applied for outdoor Miracle Mile seating.

The understood intent between the parties, was this resolution allowed Wolfe's Wine Shoppe to take advantage of the increased outdoor capacity after streetscape as well as inside the establishment. Wolfe's Wine Shoppe does not produce food and is only a vehicle for other Coral Gables businesses to deliver take out food to consume on the premises at 124 Miracle Mile. It was this determination with no impact to DERM or WASA and only for Solid Waste which we already contract for to allow this as a win, win for the downtown businesses and Wolfe's Wine Shoppe.

Jeffrey Wolfe

## 1. PLANNING AND ZONING BOARD APPLICATION



**City of Coral Gables Planning Division Application**

305.460.5211

planning@coralgables.com

www.coralgables.com

**Application request**

The undersigned applicant(s)/agent(s)/property owner(s) request City of Coral Gables consideration and review of the following application(s) (please check all that apply):

- Abandonment and Vacations
- Annexation
- Coral Gables Mediterranean Architectural Design Special Locational Site Plan
- Comprehensive Plan Map Amendment - Small Scale
- Comprehensive Plan Map Amendment - Large Scale
- Comprehensive Plan Text Amendment
- Conditional Use - Administrative Review
- Conditional Use without Site Plan
- Conditional Use with Site Plan
- Development Agreement
- Development of Regional Impact
- Development of Regional Impact - Notice of Proposed Change
- Mixed Use Site Plan
- Planned Area Development Designation and Site Plan
- Planned Area Development Major Amendment
- Restrictive Covenants and/or Easements
- Site Plan
- Separation/Establishment of a Building Site
- Subdivision Review for a Tentative Plat and Variance
- Transfer of Development Rights Receiving Site Plan
- University Campus District Modification to the Adopted Campus Master Plan
- Zoning Code Map Amendment
- Zoning Code Text Amendment
- Other: \_\_\_\_\_

**General information**

Street address of the subject property: \_\_\_\_\_

Property/project name: \_\_\_\_\_

Legal description: Lot(s) \_\_\_\_\_

Block(s) \_\_\_\_\_ Section (s) \_\_\_\_\_

Property owner(s): \_\_\_\_\_

Property owner(s) mailing address: \_\_\_\_\_

Telephone: Business \_\_\_\_\_ Fax \_\_\_\_\_

Other \_\_\_\_\_ Email \_\_\_\_\_ @ \_\_\_\_\_





Applicant(s)/agent(s): \_\_\_\_\_

Applicant(s)/agent(s) mailing address: \_\_\_\_\_

Telephone: Business \_\_\_\_\_ Fax \_\_\_\_\_

Other \_\_\_\_\_ Email \_\_\_\_\_@\_\_\_\_\_

**Property information**

Current land use classification(s): \_\_\_\_\_

Current zoning classification(s): \_\_\_\_\_

Proposed land use classification(s) (if applicable): \_\_\_\_\_

Proposed zoning classification(s) (if applicable): \_\_\_\_\_

**Supporting information (to be completed by Planning Staff)**

A Preapplication Conference is required with the Planning Division in advance of application submittal to determine the information necessary to be filed with the application(s). Please refer to the Planning Division Development Review Process Handbook, Section 3.0, for an explanation of each item. If necessary, attach additional sheets to application. The Planning Division reserves the right to request additional information as necessary throughout the entire review process.

- Aerial.
- Affidavit providing for property owner’s authorization to process application.
- Annexation supporting materials.
- Application fees.
- Application representation and contact information.
- Appraisal.
- Architectural/building elevations.
- Building floor plans.
- Comprehensive Plan text amendment justification.
- Comprehensive Plan analysis.
- Concurrency impact statement.
- Encroachments plan.
- Environmental assessment.
- Historic contextual study and/or historical significance determination.
- Landscape plan.
- Lighting plan.
- Massing model and/or 3D computer model.
- City of Coral Gables Annual Registration Application and Issue Application Lobbyist forms.
- Ordinances, resolutions, covenants, development agreements, etc. previously granted for the property.
- Parking study.
- Photographs of property, adjacent uses and/or streetscape.
- Plat.
- Property survey and legal description.



- Property owners list, notification radius map and two sets of labels.
- Public Realm Improvements Plan for mixed use projects.
- Public school preliminary concurrency analysis (residential land use/zoning applications only).
- Sign master plan.
- Site plan and supporting information.
- Statement of use and/or cover letter.
- Streetscape master plan.
- Traffic accumulation assessment.
- Traffic impact statement.
- Traffic impact study.
- Traffic stacking analysis.
- Utilities consent.
- Utilities location plan.
- Vegetation survey.
- Video of the subject property.
- Zoning Analysis ( Preliminary).
- Zoning Code text amendment justification.
- Warranty Deed.
- Other: \_\_\_\_\_

**Application submittal requirements**

1. Hard copies. The number of application binders to be submitted shall be determined by Staff at the preapplication meeting. The application shall include all the items identified in the preapplication meeting.
2. Digital media copies. Two (2) compact discs (CD ROMs) of the entire application including all the items identified in the Preapplication Conference. Each document shall be separated into PDF files (i.e., application; site plan, landscape plan; etc.). Please include a "Table of Contents" identifying all PDF file name(s). Each PDF file size shall not exceed 10 Mb. All discs shall be labeled with the applicant(s) name, project name and date of submittal.

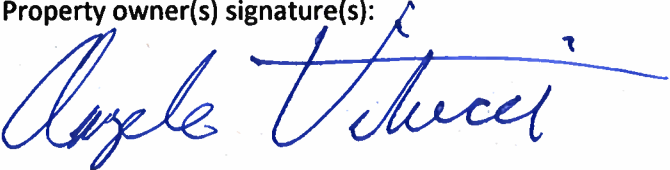
**Applicant/agent/property owner affirmation and consent**

(I) (We) affirm and certify to all of the following:

1. Submission of the following:
  - a. Warranty deed/tax record as proof of ownership for all properties considered as a part of the application request; or
  - b. Authorized as the applicant(s)/agent(s) identified herein to file this application and act on behalf of all current property owner(s) and modify any valid City of Coral Gables entitlements in effect during the entire review process.
2. This request, application, application supporting materials and all future supporting materials complies with all provisions and regulations of the Zoning Code, Comprehensive Land Use Plan and Code of Ordinances of the City of Coral Gables unless identified and approved as a part of this application request or other previously approved applications. Applicant understands that any violation of these provisions renders the application invalid.
3. That all the information contained in this application and all documentation submitted herewith is true to the best of (my) (our) knowledge and belief.
4. Understand that the application, all attachments and fees become a part of the official records of the City of Coral Gables and are not returnable.



- 5. Failure to provide the information necessary pursuant to the established time frames included but not limited to application submittal, submission of revised documents, etc. for review by City Staff and the designated reviewing entity may cause application to be deferred without further review until such time the requested information is submitted.
- 6. All representatives of the application have registered with and completed lobbyist forms for the City of Coral Gables City Clerk's office.
- 7. Understand that under Florida Law, all the information submitted as part of the application are public records.
- 8. Additional costs in addition to the application fees may be assessed associated with the review of applications by the City. These are costs that may be incurred by the applicant due to consultant fees paid by City to review the application. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; traffic impact analyses; vegetation/environmental assessments; archeological/historic assessments; market studies; engineering studies or reports; and legal fees. Such fees will be assessed upon finalization of the City application review.

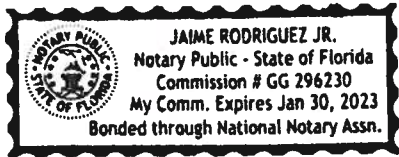
Property owner(s) signature(s): 	Property owner(s) print name: <u>Angelo Vitucci</u>
Property owner(s) signature(s):	Property owner(s) print name:
Property owner(s) signature(s):	Property owner(s) print name:

Address: 1000 Williams Islands Blvd, 33160

Telephone: 305-442-1430 Fax: \_\_\_\_\_ Email: \_\_\_\_\_

**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF \_\_\_\_\_  
 The foregoing instrument was acknowledged before me this 2 day of January <sup>2020</sup> by Angelo Vitucci  
 (Signature of Notary Public - State of Florida)



(Print, Type or Stamp Commissioned Name of Notary Public)  
 Personally Known OR  Produced Identification; Type of Identification Produced \_\_\_\_\_



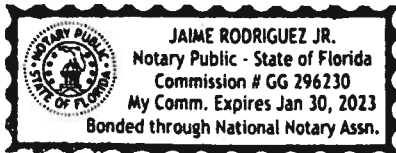
Contract Purchaser(s) Signature: <i>J. Wolfe</i>	Contract Purchaser(s) Print Name: <i>Jeffrey Wolfe</i>
Contract Purchaser(s) Signature:	Contract Purchaser(s) Print Name:

Address: *5728 Michelangelo St C. Gables, FL 33134*

Telephone: *786 586 1879* Fax: Email: *Jeffrey@WOLFSWINGS.COM*

NOTARIZATION

STATE OF FLORIDA/COUNTY OF  
 The foregoing instrument was acknowledged before me this 2 day of January 2020 by Jeffrey Wolfe  
 (Signature of Notary Public - State of Florida)



*[Signature]*

(Print, Type or Stamp Commissioned Name of Notary Public)  
 Personally Known OR  Produced Identification; Type of Identification Produced \_\_\_\_\_

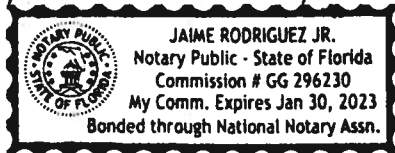
Applicant(s)/Agent(s) Signature: <i>J. Wolfe</i>	Applicant(s)/Agent(s) Print Name: <i>Jeffrey Wolfe</i>
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Address: *5728 Michelangelo St C. Gables, FL 33134*

Telephone: *786.586.1879* Fax: Email: *Jeffrey@Wolfswings.com*

NOTARIZATION

STATE OF FLORIDA/COUNTY OF  
 The foregoing instrument was acknowledged before me this 2 day of January 2020 by Jeffrey Wolfe  
 (Signature of Notary Public - State of Florida)



*[Signature]*

(Print, Type or Stamp Commissioned Name of Notary Public)  
 Personally Known OR  Produced Identification; Type of Identification Produced \_\_\_\_\_

## 2. PLANS AND PICTURES

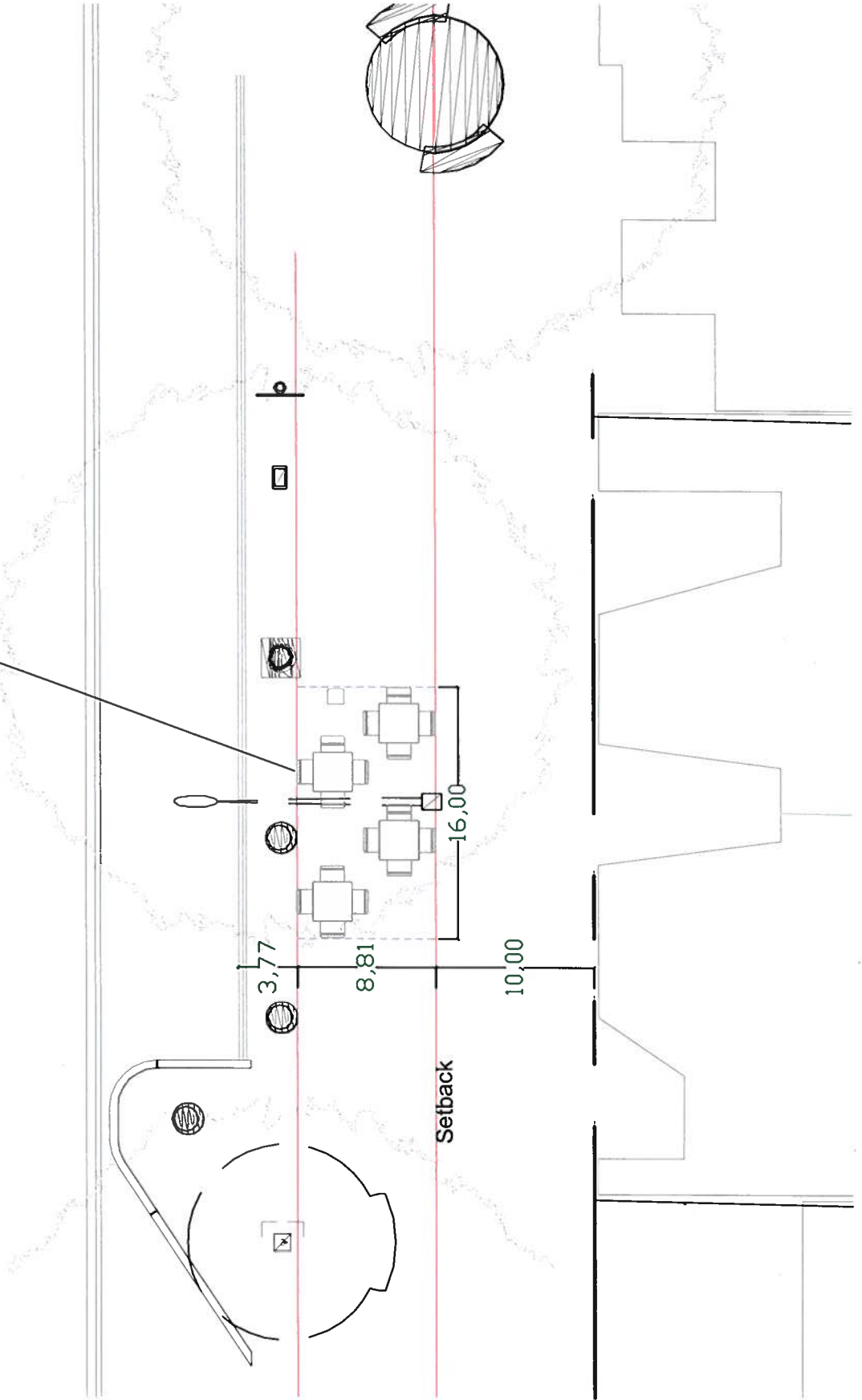
**THIS PRELIMINARY IS FOR ARCHITECTURAL DESIGN ONLY** and is approved subject to submission of full size details on final plans. Zoning Code, Building Code, Plumbing Code and all other regulations must be complied with.

**"SUBMIT THIS DRAWING WITH FINAL PLANS"**

  
Chairman, Board of Architects

Date 2 Jan 2020

PROPOSED FURNITURE ARRANGEMENT.  
FURNITURE SELECTION TO BE DETERMINED DURING  
SIDEWALK CAFE PERMITTING REVIEW.



**PROPERTY INFORMATION**

Folio: 03-4117-005-0550

Sub-Division:  
CORAL GABLES CRAFTS SEC

Property Address  
120 CORAL WAY  
Coral Gables, FL 33134-5408

Owner  
ANGELO VITUCCITRS

Mailing Address  
1000 WEST ISLAND BLVD #1008  
NO MIAMI BEACH, FL 33160-5815

PA Primary Zone  
8400 COMMERCIAL - CENTRAL

Primary Land Use  
1111 STORE - RETAIL OUTLET

Beds / Baths / Half 0 / 0 / 0

Floors 2

Living Units 0

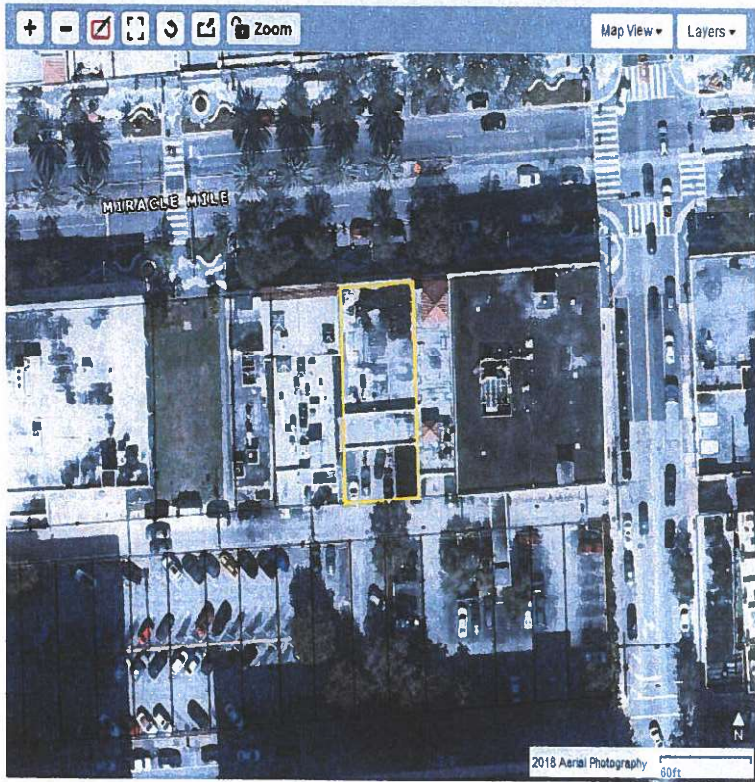
Actual Area

Living Area

Adjusted Area 5,532 Sq.Ft

Lot Size 6,000 Sq.Ft

Year Built 1951











### 3. PROPOSED FURNITURE

/ABOUT\_US/)

CONTACT US (HTTPS://WWW.AFFORDABLESEATING.NET

/CONTACT\_US/)

HELP CENTER (HTTPS://WWW.AFFORDABLESEATING.NET

/HELP-CENTER/)



CHAIRS BAR STOOLS TABLE TOPS TABLE BASES BOOTHS PATIO FURNITURE (https://www.affordableseating.net/checkout/cart/)

home (https://www.affordableseating.net/) > chairs (https://www.affordableseating.net/restaurant-chairs.html) > metal chairs (https://www.affordableseating.net/restaurant-chairs/metal-chairs.html) > bistro style metal chair in distressed red finish

CART »

(https://www.affordableseating.net/checkout/cart/)

BISTRO STYLE METAL CHAIR IN DISTRESSED RED FINISH

#ASF-ERAT-337-DRE

\$52.00



FRAME COLOR Distressed Red

SEAT COLOR Distressed Red

SEAT MATERIAL Metal

PRICE: \$52.00

QUANTITY: 1

ADD TO CART

Best Price Guarantee

Why Buy From Us



LIVE CHAT

/ABOUT\_US/)

CONTACT US (HTTPS://WWW.AFFORDABLESEATING.NET

/CONTACT\_US/)

HELP CENTER (HTTPS://WWW.AFFORDABLESEATING.NET

/HELP-CENTER/)



CHAIRS BAR STOOLS TABLE TOPS TABLE BASES BOOTHS PATIO FURNITURE (https://www.affordableseating.net/checkout/cart/)

home (https://www.affordableseating.net/) > patio furniture (https://www.affordableseating.net/patio-furniture.html) > metal table in black finish - table height

(https://www

METAL TABLE IN BLACK FINISH TABLE HEIGHT

#ASF-ERAT-MTTT-BL

\$98.00

COLOR Black

TABLE SIZE 30" X 30"

PRICE: \$98.00

QUANTITY: 1

ADD TO CART



Best Price Guarantee

Why Buy From Us

#### 4. RESOLUTIONS

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2017-34**

A RESOLUTION AUTHORIZING WOLFE'S WINE SHOPPE TO ADD THE SALE OF ALCOHOLIC BEVERAGES BY THE GLASS FOR CONSUMPTION ON PREMISES, AS PERMITTED BY STATE LAW, ON THE PROPERTY LEGALLY DESCRIBED AS CORAL GABLES CRAFTS SECTION, LOT 16 & 17, BLOCK 3, (124 MIRACLE MILE), CORAL GABLES, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Wolfe's Wine Shoppe has requested the ability to sell wine by the glass on premises for the enjoyment of its clientele as part of a pilot program in anticipation of the Miracle Mile and Giralda Avenue overlay district; and

**WHEREAS**, Wolfe's Wine Shoppe is a family-owned specialty wine store that has operated at 124 Miracle Mile for seventeen years; and

**WHEREAS**, To qualify for a retail beverage or retail liquor store license under this section, a nonrestaurant facility must receive approval from the City Commission after administrative review from the City Manager and meet the requirements set forth in City Code, Section 6.4; and

**WHEREAS**, the City Attorney has opined on this matter and distinguished between the retail sale of wine by the bottle for consumption off premises, and the sale of wine by the glass to be consumed on site; finding that Wolfe's Wine Shop is in the business of selling wine in sealed containers for consumption off premises, so as long as the sale of wine for consumption on premises would not exceed 25 percent of its total receipts, the request can be approved by the City Commission consistent with section 6-4 of the City Code; and

**WHEREAS**, Wolfe's Wine Shoppe meets the minimum requirements set forth in Section 6-4(b) of the City Code and is in compliance with the laws of the State of Florida;

**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 Resolution upon adoption hereof.

**SECTION 2.** That permission is hereby granted to Wolfe's Wine Shoppe to obtain a license from the state to be able to sell wine by the glass, provided the applicant receives all other necessary approvals.

**SECTION 3.** That said resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FOURTEENTH DAY OF FEBRUARY, A.D., 2017.

(Moved: Lago / Seconded: Slesnick)

(Yeas: Slesnick, Keon, Lago, Quesada, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: C-8)

ATTEST:

WALTER J. FOEMAN  
CITY CLERK




APPROVED:



JIM CASON  
MAYOR

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



CRAIG E. LEEN  
CITY ATTORNEY



**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2019-34**

AN ORDINANCE OF THE CITY COMMISSION PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, ARTICLE 4, "ZONING DISTRICTS," SECTION 4-206, "BUSINESS IMPROVEMENT OVERLAY DISTRICT (BIOD)," TO PERMIT A CONDITIONAL USE FOR OUTDOOR SEATING FOR NONRESTAURANT FACILITIES FRONTING MIRACLE MILE AND GIRALDA PLAZA; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Section 4-206(B)(4) of the City's Zoning Code sets forth regulations for outdoor dining for restaurants fronting Miracle Mile and Giralda Plaza and there is currently no provision in the Zoning Code for outdoor seating in connection with a non-restaurant; and

**WHEREAS**, the City Commission wishes to permit outdoor seating as a conditional use for non-restaurant facilities fronting Miracle Mile and Giralda Plaza; and

**WHEREAS**, amendments to Section 4-206(B)(4) are necessary to permit a conditional use for outdoor seating for non-restaurant facilities fronting Miracle Mile and Giralda Plaza; and

**WHEREAS**, on August 27, 2019, a public hearing was held for the City Commission's consideration of the text amendments to the Zoning Code, and after due consideration and discussion, the City Commission approved the amendments on first reading (vote: 5-0); and

**WHEREAS**, at a public hearing held on September 11, 2019, the Planning and Zoning Board recommended approval of the amendments (vote: 6-0); and

**WHEREAS**, after notice duly published, a second public hearing was held before the City Commission on October 9, 2019, and after due consideration and discussion, the City Commission approved the amendments on second reading (vote: 5-0);

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

**SECTION 1.** That 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 hereof.

**SECTION 2.** The Official Zoning Code of the City of Coral Gables is hereby amended as follows<sup>1</sup>:

**ARTICLE 4 – ZONING DISTRICTS**

**Division 2. Overlay and Special Purpose Districts**

**Section 4-206. Business Improvement Overlay (BIOD) District.**

\*\*\*

**B. Business Operation Standards.**

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4. Outdoor Dining and Outdoor Seating– Pre-approved outdoor dining locations and design for restaurants or nonrestaurant facilities with approved retail beverage or retail liquor store licenses fronting Miracle Mile and Giralda Plaza; expedited process.
  - a. Miracle Mile and Giralda Plaza Expedited Approval Process. The Development Review Official shall serve as a point of contact for applicants for the Miracle Mile and Giralda Plaza. Applications that meet the Pre-Approved Design Standards below shall be subject of Expedited Review and shall be processed within one (1) month of receipt.
    - i. Location. Expedited Review will be provided for outdoor dining for the Pre-Approved Design Standards below on both private property and public right-of-way for properties abutting the following streets:
      - (a) Miracle Mile.
      - (b) Giralda Plaza.
    - ii. Pre-Approved Design Standards. The Development Review Official will maintain a Miracle Mile and Giralda Plaza Outdoor Dining Plan with pre-approved locations, configurations, and a menu of pre-approved furniture options for Expedited Outdoor Dining Permits. The menu of pre-approved furniture options may be amended from time to time to include outdoor dining furniture that has been previously approved by the Board of Architects. Applications that comply with the Outdoor Dining Plan shall be reviewed and approved administratively by the Development Review Official.
    - iii. Special Design Review. For Applicants seeking unique outdoor dining locations, configurations, and furniture not addressed in the Miracle Mile and Giralda Plaza Outdoor Dining Plan, Board of Architects approval shall be required as per the Zoning Code.
    - iv. Insurance Requirements. Insurance requirements for Outdoor Dining within the public right-of-way on Miracle Mile and Giralda Plaza shall be covered by the Property Owner and/or the Applicant in coordination with the City.
    - v. Public Works and/or City of Coral Gables Public Services Restrictive Covenant. A Uniform Miracle Mile and Giralda Plaza Restrictive Covenant for right-of-way encroachments shall be available to applicants. Restrictive Covenants shall be coordinated by the Development Review Official.
    - vi. Fees. As set forth in the Fee Schedule.
    - vii. Applicant. The Applicant for an outdoor dining permit shall be the business that will operate the restaurant and corresponding outdoor dining.
      - (a) Standards, Criteria and Conditions:
        - (i) The area covered by a sidewalk cafe permit, and the sidewalk and street immediately adjacent to it, shall be maintained in a clean, neat and orderly

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<sup>1</sup> Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

appearance at all times by the permittee. The area of the sidewalk, curb and gutter immediately adjacent to the sidewalk cafe shall be cleared of all debris during hours of operation, and again at the close of each business day, or as may otherwise be determined by the Development Review Official.

- (ii) Outdoor dining furniture shall be located at least ten (10) feet from the storefront or façade of the building. If the building is set back then a ten (10) foot clearance of the sidewalk shall be maintained.
- (iii) Tables, chairs, umbrellas and any other sidewalk cafe furniture shall be maintained in a clean, attractive, and orderly appearance, and shall be maintained and kept in good repair at all times.
- (iv) All sidewalk cafe furniture shall be of high quality, design, materials, and workmanship so as to ensure the safety and convenience of the public.
- (v) The stacking or piling up of chairs shall be prohibited on the right-of-way at all times.
- (vi) The Development Review Official may require a permittee to store its tables, chairs and/or umbrellas off of the right-of-way if, in his reasonable judgment and discretion, the Development Review Official determines that the sidewalk cafe permit area and immediately adjacent public right-of-way are not being adequately maintained in accordance with this division.
- (vii) No storage of dishes, silverware or other similar sidewalk cafe equipment shall be allowed in the permit area, or in any other portion of the public right-of-way, or outside the structural confines of the building in which the restaurant is located, during non-business hours.
- (viii) Live entertainment or speakers placed in permitted areas shall comply with noise regulations and hours of operation.
- (ix) No food preparation, food storage, refrigeration apparatus or equipment, or fire apparatus or equipment, shall be allowed on the right-of-way.
- (x) No food displays shall be permitted on the public right-of-way.
- (xi) No advertising signs or business identification signs shall be permitted on the public right-of-way except as otherwise allowed in this Section.
- (xii) No retail sales or displays shall be allowed on any public right-of-way areas, except as otherwise approved by the City Manager or his/her designee on a conditional and revocable basis where said displays are found to be compatible with, and further, City objectives.
- (xiii) Umbrellas shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. No portion of an umbrella shall be less than six (6) feet eight (8) inches above the right-of-way. Two (2) or more umbrellas may not be clipped, zipped or otherwise fastened together in order to form a tent like structure. Clear plastics or other materials may not be fastened, rolled or otherwise be attached to umbrella edges in order to create an enclosure.
- (xiv) The Development Review Official may permit the use of planters with the material configuration, number, and size to be reviewed at time of application. Placement of planters within sidewalk cafe areas shall be set at a minimum of five (5) feet from the building frontage. Planters shall not block the normal pedestrian flow or impede handicap accessibility on any sidewalk area or street crossing. Planters shall not enclose portions of the sidewalk but may be used as buffers from vehicular traffic. Artificial planting materials (i.e. fake flowers and plants) shall be prohibited within planters. It shall be the permittee's responsibility to immediately remove planters, upon written and/or verbal notice from the City Manager, in case of emergency or other circumstances as provided in this division. Maximum size of planters shall not exceed the following:
  - (A) Rectangular planters: A maximum thirty (30) inches long, by fifteen (15) inches wide by twenty (20) inches high.
  - (B) Round planters: A maximum of twenty-four (24) inches diameter by twenty-four (24) inches high.

- (C) Planters twenty (20) inches or higher shall be on rollers or on rolling bases.
- (D) The combination of planters and plant height should not exceed a table height of thirty-four (34) inches.
- (xv) All Outdoor Dining facilities on public rights-of-way shall be located at the same elevation as the adjoining sidewalk.
- (xvi) Outdoor Dining shall not interfere with the free and unobstructed public access to any bus stop, crosswalks, public seating areas and conveniences, street intersections, alley, service easements, handicap facilities, access to adjacent commercial establishments, fire hydrants and/or other City utilities.
- (xvii) Outdoor Dining shall comply with the standards set forth in Sections 5-119(A)(7) and (B)(10) of the City of Coral Gables Zoning Code.
- (xviii) The Development Review Official may impose conditions, accept proffers and establish bonus programs to address potential harms and nuisances to serve the health, safety and welfare, and in particular, to ensure compatibility of the various uses within the right-of-way and adjoining areas.
- (xix) Plants shall be properly maintained. Distressed plants shall be promptly replaced. Plant fertilizers which contain material that can stain the sidewalks shall not be allowed. Water drainage from any plants onto the sidewalk shall not be allowed. Potted plants shall have saucers or other suitable systems to retain seepage.

b. Outdoor Seating for Nonrestaurant Facilities on Miracle Mile or Giralda Plaza with Approved Retail Beverage and Retail Liquor Store Licenses.

(i) Outdoor Seating for Nonrestaurant Facilities is permitted as a conditional use, if approved under the provisions of Article 3, Division 4, and subject to the standards in this Section and other applicable regulations for nonrestaurant facilities fronting Miracle Mile or Giralda Plaza that have been issued a retail beverage or retail liquor store license pursuant to section 6-4 of the City Code.

(ii) Any conditional use for outdoor seating must, at a minimum, comply with the standards, criteria, and conditions set forth in this Section for Outdoor Dining and any other applicable requirements. The nonrestaurant facility shall at all times be in compliance with all state and local regulations, including, without limitation, any state alcohol licensing requirements. The City Commission may impose additional appropriate conditions to protect the public health, safety, and welfare.

(iii) The conditional use approval granted under this Section may be renewed administratively if (1) there are no proposed changes to the Outdoor Seating; (2) the nonrestaurant facility is in compliance with all requirements of its retail beverage or retail liquor store license under section 6-4 of the City Code and all requirements of its conditional use approval for Outdoor Seating; and (3) no code enforcement citations have been issued to the nonrestaurant facility. Otherwise, renewal of the conditional use must be reviewed and approved by the City Commission and may be subject to the provisions of Article 3, Division 4, at the discretion of the City Commission.

(iv) Any application and permit fees applicable to Outdoor Dining shall apply to conditional use applications and permits for Outdoor Seating.

b. c. Private Property. For locations within the District not listed in Section 4.a. above, the Zoning Code provisions for Outdoor Dining on private property shall apply.

e. d. Public Right-of-Way. For locations within the District not listed in Section 4.a. above, the Zoning Code provisions for Outdoor Dining in the public right-of-way shall apply. When

Outdoor Dining is proposed on public and private property then both requirements for outdoor dining on public and private property shall apply.

- d. e. A permit used for Outdoor Dining in the public right-of-way shall be issued for a period of two (2) years, renewable biannually by the Division of Planning and Zoning. Such permit shall be paid on a bi-annual basis.
- e. f. Outdoor Dining shall be restricted to the frontage of the abutting business property frontage line. The utilization of space extending no more than fifty (50) linear feet on either side of the property frontage line may be authorized and transferable subject to a written consent between the neighboring Property Owners and/or Tenants in front of whose businesses the Outdoor Dining service shall occur. Said written consent must stipulate that, if any of the two (2) properties go Out-of-Business, the Property Owners and the Tenants must forfeit their written consent and the individual property/frontage bundle of rights shall revert back to the original state. Should obstacles in the public ROW prohibit a restaurant from being able to provide outdoor dining in front of, or adjacent to, their place of business, the Development Review Official may permit the restaurant to use other underutilized outdoor dining areas in close proximity to the restaurant, subject to the same written consent requirements provided above.
- f. g. The City Manager may adopt administrative regulations to implement and enforce the standards for outdoor dining and outdoor seating set forth herein.

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

**SECTION 5.** If any section, part of section, 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 Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of Ordinance No. 2007-01 as amended and known as the “Zoning Code” of the City of Coral Gables, Florida; and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 7.** If the Official Zoning Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

**SECTION 8.** This Ordinance shall become effective upon the date of its passage and adoption herein.

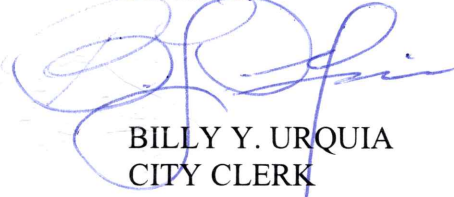
PASSED AND ADOPTED THIS EIGHTH DAY OF OCTOBER, A.D., 2019.  
(Moved: Lago / Seconded: Keon)  
(Yeas: Mena, Fors, Jr., Keon, Lago, Valdes-Fauli)  
(Unanimous: 5-0)  
(Agenda Item: F-2)

APPROVED:



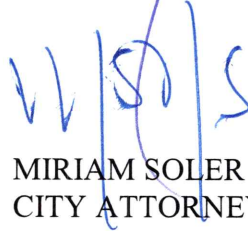
RAUL VALDES-FAULI  
MAYOR

ATTEST:



BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY

## 5. ALCOHOL LICENSE

**DBPR ABT-6014 – Division of Alcoholic Beverages and Tobacco Change of Location/Change in Series or Type Application**

**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**DBPR Form  
ABT-6014  
Revised 07/30/2012**

**NOTE – This form must be submitted as part of an application packet**

*If you have any questions or need assistance in completing this application, please contact the Department of Business and Professional Regulation or your local district office. Please submit your completed application to your local district office. This application may be submitted by mail, through appointment, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's page of the DBPR web site at the link provided below.*

[http://www.myfloridalicense.com/dbpr/abt/district\\_offices/licensing.html](http://www.myfloridalicense.com/dbpr/abt/district_offices/licensing.html)

SECTION 1 - CHECK TRANSACTION REQUESTED			
<b>Transaction Type:</b>			
<input type="checkbox"/> Change of Location	<input checked="" type="checkbox"/> Increase in Series		
<input type="checkbox"/> Change in Series	<input type="checkbox"/> Decrease in Series		
Also include:			
<input type="checkbox"/> Change of Business Name	<input type="checkbox"/> Retail Tobacco Products (must check one or more)		
<input type="checkbox"/> Change of Officer/Stockholder/Amended Corporate Name	<input type="checkbox"/> Pipes <input type="checkbox"/> Over the Counter <input type="checkbox"/> Vending Machine		
Do you wish to purchase a Temporary License? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Series Requested <b>2COP</b>	Type/Class Requested		
SECTION 2 - LICENSE INFORMATION			
If the applicant is a corporation or other legal entity, enter the name and the document number as registered with the Florida Department of State Division of Corporations on the line below.			
Full Name of Licensee: (This is the name the license is issued in) <b>WOLFE'S WINE SHOPPE</b>		Department of State Document #	
FEIN Number*	Business Telephone Number <b>305 445 4567</b> ext		
Current Business Name (D/B/A) <b>WOLFE'S CONSULTING INC</b>	Current License # <b>8EV2324666</b>	Series <b>2APS</b>	Type/Class
New Business Name (D/B/A), if applicable			
Location Address (Street and Number) <b>124 Miracle Mile</b>			
City <b>Coral Gables</b>	County <b>DADE</b>	State <b>FL</b>	Zip Code <b>33134</b>
Check either: <input checked="" type="checkbox"/> Location is within the city limits or <input type="checkbox"/> Location is in the unincorporated county			
Contact Person (Optional) <b>JEFFREY WOLFE</b>	Telephone Number <b>305 445 4567</b> ext		
E-Mail Address (Optional) <b>JEFFREY@WOLFESWINES.COM</b>			
Mailing Address (Street or P.O. Box) <b>124 Miracle Mile</b>			
City <b>C. Gables, FL</b>	State <b>FL</b>		Zip Code <b>33134</b>

**ABT District Office Received / Date Stamp**



**SECTION 3 – DESCRIPTION OF PREMISES TO BE LICENSED**

Business Name (D/B/A)

Street Address

City

County

State  
FL

Zip Code

- |    |  |                             |   |
|----|--|-----------------------------|---|
| 1. | Yes <input type="checkbox"/>   | No <input type="checkbox"/> | Is the proposed premises movable or able to be moved?   |
| 2. | Yes <input type="checkbox"/>   | No <input type="checkbox"/> | Is there any access through the premises to any area over which you do not have dominion and control? |
| 3. | Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show each floor plan. |                             |   |

**SECTION 4 - APPLICATION APPROVALS**

Full Name of Licensee

WOLFE'S WINE SHOPPE

Business Name (D/B/A)

WOLFE'S CONSULTING INC

Street Address

124 Miracle Mile

City

G. Gables

County

DADE

State

FL

Zip Code

33134

**ZONING**

**TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING YOUR BUSINESS LOCATION**

- A. The location complies with zoning requirements for the sale of alcoholic beverages or wholesale tobacco products pursuant to this application for a Series 2COP license.
- B. This approval includes outside areas which are contiguous to the premises which are to be part of the premises sought to be licensed and are identified on the sketch?"  Yes  No

Signed

R. T. King

Date

3.10.17

Title

DIRECTOR OF PLANNING AND ZONING

**SALES TAX**

**TO BE COMPLETED BY THE DEPARTMENT OF REVENUE**

The named applicant for a license/permit has complied with the Florida Statutes concerning registration for Sales and Use Tax.

1. This is to verify that the current owner as named in this application has filed all returns and that all outstanding billings and returns appear to have been paid through the period ending \_\_\_\_\_ or the liability has been acknowledged and agreed to be paid by the applicant. This verification does not constitute a certificate as contained in Section 212.10 (1), F.S. (Not applicable if no transfer involved).
2. Furthermore, the named applicant for an Alcoholic Beverage License has complied with Florida Statutes concerning registration for Sales and Use Tax, and has paid any applicable taxes due.

Signed \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

Department of Revenue Stamp

**HEALTH**

**TO BE COMPLETED BY THE DIVISION OF HOTELS AND RESTAURANTS  
OR COUNTY HEALTH AUTHORITY  
OR DEPARTMENT OF HEALTH  
OR DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES**

The above establishment complies with the requirements of the Florida Sanitary Code.

Signed \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

Agency \_\_\_\_\_

**SECTION 5 – CONTRACTS OR AGREEMENTS**

Business Name (D/B/A)

These questions must be answered about this business for every person or entity listed as the applicant and copies of agreements must be submitted with this application. If the management, service, or other contractual agreement gives a person or entity control of the licensed premises or the sale of alcoholic beverages, disclosure of those persons must be made in the section labeled "DIRECT INTEREST" in the **DISCLOSURE OF INTERESTED PARTIES** section. They must also submit fingerprints and a related party personal information sheet.

1.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Is there a management contract, franchise agreement, or service agreement in connection with this business?
2.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Are there any agreements which require a payment of a percentage of gross or net receipts from the business operation?
3.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Have you or anyone listed on this application, accepted money, equipment or anything of value in connection with this business from a manufacturer or wholesaler of alcoholic beverages?

**SECTION 6 – SPECIAL LICENSE REQUIREMENTS  
(DOES NOT APPLY TO BEER AND WINE LICENSES)**

Please check the appropriate "Special Alcoholic Beverage License" box of the license for which you are applying. Fill in the corresponding requirements for each Special License type.

- Quota Alcoholic Beverage License       Special Alcoholic Beverage License  
 Club Alcoholic Beverage License

This license is issued pursuant to \_\_\_\_\_, Florida Statutes or Special Act, and as such we acknowledge the following requirements must be met and maintained:

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Please sign and date:

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SECTION 7 – DISCLOSURE OF INTERESTED PARTIES**

Note: Failure to disclose an interest, direct or indirect, could result in denial, suspension and/or revocation of your license.

Business Name (D/B/A)

1. When applicable, please complete the appropriate section below. Attach extra sheets if necessary.

Title/Position	Name	Stock %
CORPORATION (CORP/INC)		
President		
Vice President		
Secretary		
Treasurer		
Director(s)		
Stockholder(s)		

**LIMITED LIABILITY COMPANY (LLC/LC)**

Managing Member(s) and/or Managers		
Members (must be printed if there are no managing members or managers)		

**LIMITED PARTNERSHIP (LTD/LP/LTDLLP)**

General Partner(s)		
Limited Partner(s)		

Bar Manager (Fraternal Organizations of National Scope only):

**DIRECT INTEREST**

Name of Individual or Entity (If a legal entity, list name under which the entity does business and its principles)

Title/Position	Name	Stock %

2. Are there any persons not listed above who have guaranteed or co-signed a lease or loan, or any person or entity who has loaned money to the business that is not a traditional lending institution?

Yes     No

If yes, and the terms create a direct interest in the business, you must list the person(s) or entity and indicate which of the below applies. Each directly interested person must submit fingerprints and a related party personal information sheet. Copies of agreements must be submitted with this application.

Name	Guarantor	Co-signer	Lender	Interest Rate (List)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**SECTION 8 - AFFIDAVIT OF APPLICANT  
NOTARIZATION REQUIRED**

Business Name (D/B/A) \_\_\_\_\_

"I, the undersigned individually, or if a registered legal entity for itself and its related parties, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I hereby swear or affirm that the attached sketch is a true and correct representation of the premises to be licensed and agree that the place of business, if licensed, may be inspected and searched during business hours or at any time business is being conducted on the premises without a search warrant by officers of the Division of Alcoholic Beverages and Tobacco, the Sheriff, his Deputies, and Police Officers for the purposes of determining compliance with the beverage and retail tobacco laws."

"I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45 and 837.06, Florida Statutes, that the foregoing information is true and that no other person or entity except as indicated herein has an interest in the alcoholic beverage license and/or tobacco permit, and all of the above listed persons or entities meet the qualifications necessary to hold an interest in the alcoholic beverage license and/or tobacco permit."

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
APPLICANT SIGNATURE

The foregoing was ( ) Sworn to and Subscribed OR ( ) Acknowledged Before me this \_\_\_\_\_ Day  
of \_\_\_\_\_, 20\_\_\_\_, By \_\_\_\_\_ who is ( ) personally  
(print name(s) of person(s) making statement)

known to me OR ( ) who produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public Commission Expires: \_\_\_\_\_

**SECTION 9 – RELATED PARTY PERSONAL INFORMATION**

**This section must be completed for each person directly connected with the business, unless they are a current licensee.**

1.	Business Name (D/B/A)					
2.	Full Name of Individual					
	Social Security Number*			Home Telephone Number		Date of Birth
	Race	Sex	Height	Weight	Eye Color	Hair Color
3.	Are you a U.S. citizen? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, immigration card number or passport number:					
4.	Home Address (Street and Number)					
	City				State	Zip Code
5.	Do you currently own or have an interest in any business selling alcoholic beverages, wholesale cigarette or tobacco products, or a bottle club? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the information requested below. The location address should include the city and state.					
	Business Name (D/B/A)				License Number	
	Location Address					
6.	Have you had any type of <b>alcoholic beverage</b> , or bottle club license, or cigarette, or tobacco permit refused, revoked or suspended anywhere in the past 15 years? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the information requested below. The location address should include the city and state.					
	Business Name (D/B/A)				Date	
	Location Address					
7.	Have you been convicted of a <b>felony</b> within the past 15 years? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the information requested below and provide a <b>Copy of the Arrest Disposition</b> , as requested in the Application Requirements checklist.					
	Date		Location			
	Type of Offense					
8.	Have you been convicted of an offense involving <b>alcoholic beverages</b> anywhere within the past 5 years? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide the information requested below and provide a <b>Copy of the Arrest Disposition</b> , as requested in the Application Requirements checklist.					
	Date		Location			
	Type of Offense					



**SECTION 10 - CURRENT LICENSEE UPDATE DATA SHEET**

This section is to be completed for all **current** alcoholic beverage and/or tobacco license holders listed on the application to ensure the most up to date information is captured.

Business Name (D/B/A)

Last Name First M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

Date of Birth Social Security Number\*

Street Address

City State Zip Code

Last Name First M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

Date of Birth Social Security Number\*

Street Address

City State Zip Code

Last Name First M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

Date of Birth Social Security Number\*

Street Address

City State Zip Code

Last Name First M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

Date of Birth Social Security Number\*

Street Address

City State Zip Code

Last Name First M.I.

Current Alcohol Beverage and/or Tobacco License Permit/Number(s)

Date of Birth Social Security Number\*

Street Address

City State Zip Code



## 6. INSURANCE



# CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)

10/17/18

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER <b>SUNSET PROPERTY &amp; CASUALTY</b> 9360 Sunset Drive, Unit 257 Miami, FL 33173	CONTACT NAME:		
	PHONE (A/C No. Ext):	(305) 270-1447	FAX (A/C No.): (305) 273-1237
	E-MAIL ADDRESS:	otto@spcinsurance.com	
INSURED <b>Wolfe's Wine Shoppe</b> 124 Miracle Mile Coral Gables, FL 33134	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A:	Scottsdale Insurance Company	
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		

## COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CPS2780191	04/06/18	04/06/19	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 Ded \$ 500
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Property			CPS2780191	04/06/18	04/06/19	BPP \$100,000 Bus. Income \$50,000 1/4 monthly

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Liquor Store located at 124 Miracle Mile, Coral Gables, FL 33134

Certificate Holder is named as additional insured on a primary and non-contributory basis including a Waiver of Subrogation in favor of the certificate holder.

## CERTIFICATE HOLDER

## CANCELLATION

City of Coral Gables  
Insurance Compliance  
PO Box 100085-CE  
Duluth, GA 30096

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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SCOTTSDALE INSURANCE COMPANY®

ENDORSEMENT NO. 1

ATTACHED TO AND FORMING A PART OF POLICY NUMBER	ENDORSEMENT EFFECTIVE DATE (12:01 A.M. STANDARD TIME)	NAMED INSURED	AGENT NO.
CPS2780191	10/17/2018	WOLFE'S WINE SHOPPE	09020

Additional Premium \$450.00  
 Additional Tax \$22.50  
 Additional Service Fee \$0.45

It is hereby agreed policy is amended as follows:

Adding Waiver of Transfer of Rights of Recovery Against Others to Us per the attached Form CG2404 (05/09).

Adding Additional Insured - Owners, Lessees, or Contractors - Scheduled Person or Organization per the attached Form CG2010 (04/13).

Adding Primary and NonContributory - Other Insurance Condition per the attached Form CG2001 (04/13).

Premium - fully earned.

Adding Total Liquor Liability Exclusion per the attached Form GLS-106S (12/13)

*Estaban Alvarez*

| 10/22/2018

*Marcia Williams* AUTHORIZED REPRESENTATIVE

DATE

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**PRIMARY AND NONCONTRIBUTORY -  
OTHER INSURANCE CONDITION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART  
PRODUCTS/ COMPLETED OPERATIONS LIABILITY COVERAGE PART

The following is added to the **Other Insurance** Condition and supersedes any provision to the contrary:

**Primary And Noncontributory Insurance**

This insurance is primary to and will not seek contribution from any other insurance available to an additional insured under your policy provided that:

(1) The additional insured is a Named Insured under such other insurance; and

(2) You have agreed in writing in a contract or agreement that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.

**THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.**

**ADDITIONAL INSURED - OWNERS, LESSEES OR  
CONTRACTORS - SCHEDULED PERSON OR  
ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

**SCHEDULE**

Name Of Additional Insured Person(s) Or Organization(s)	Location(s) Of Covered Operations
City of Coral Gables Insurance Compliance PO Box 100085-CE Duluth, GA 30096	
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

**A. Section II - Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

**B.** With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

- C. With respect to the insurance afforded to these additional insureds, the following is added to **Section III - Limits Of Insurance**:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

## WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART  
PRODUCTS/ COMPLETED OPERATIONS LIABILITY COVERAGE PART

### SCHEDULE

**Name Of Person Or Organization:**

City of Coral Gables  
Insurance Compliance  
PO Box 100085-CE  
Duluth GA 30096

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph 8. **Transfer Of Rights Of Recovery Against Others To Us** of Section IV - Conditions:

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.





## 7. OUTDOOR SEATING APPLICATION

Wolfe's Wine Shoppe  
124 Miracle Mile  
Coral Gables, FL 33134

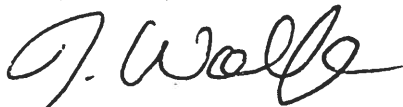
February 6<sup>th</sup> 2017

City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134

This letter is to act as an informative description of Wolfe's Wine Shoppe's hope to have city approval to be able to have a series increase from our 2APS license to a 2COP license.

As we discussed with the City Manager and staff we would like to offer wine by the glass without becoming a restaurant. With little or no impact to the way we operate our business now we would like to offer a space for people to come and enjoy a glass of wine and order food from an array of Coral Gables businesses that would deliver to our location. Adding high top chairs to our location for people to relax and take advantage of the ability in the shoppe, which will find a new source of needed revenue in the downturn of streetscape. As suggested by staff that when the overpay is completed we would also like to take the opportunity to have seating outside in the newly paved sidewalk.

Respectfully Yours

A handwritten signature in black ink, appearing to read "J. Wolfe", written in a cursive style.

Jeffrey Wolfe

# CITY OF CORAL GABLES

## - MEMORANDUM -

**TO:** City Manager  
**DATE:** February 8, 2019  
**FROM:** Ramon Trias,  
Assistant Director  
Development Services  
**SUBJECT:** Wolfe's Wine Shoppe  
(124 Miracle Mile)  
Outdoor Seating

---

The Planning and Zoning Division has reviewed the Wolfe's Wine Shoppe (a retail packaged store) request submitted for outdoor seating utilizing the sidewalk. Pursuant to Resolution No. 2017-34, the City Commission authorized permission to sell alcoholic beverages by the glass for consumption on premises. The original intent of the applicant was to also have tables and chairs available to customers, as indicated in his letter of intent dated February 6, 2017.

Section 4-206, Business Improvement Overlay (BIOD) District, provides outdoor dining for restaurants fronting Miracle Mile and Giralda. Wolfe's Wine Shoppe is a retail store that sells packaged and by-the-glass alcoholic beverages. A special approval would be required to allow outdoor dining for a non-restaurant use.

Staff recommends to either amend Resolution No. 2017-34 to include outdoor seating; adopt administrative regulations pursuant to Section 4-206.B.4(f); or discuss with the City Commission.

If the applicant is granted permission to allow outdoor seating as a retailer, the applicant will complete the Sidewalk Café application process which includes:

1. Obtain approval from the Board of Architects for furniture selection.
2. Complete a Restrictive Covenant for furniture in the right-of-way.
3. Obtain approval from Planning and Public Works for site plan of tables and chairs.
4. Obtain any other required outside approvals.

Attached are documents provided by Wolfe's Wine Shoppe, which include an updated letter of intent; February 2017 letter of intent; Resolution 2017-34; and the Outdoor Dining application and submitted materials.

Staff is available to meet and assist with the submittal of the application and to answer any questions regarding the request.



City of  
Coral Gables,  
Florida

# Miracle Mile & Giralda Plaza Outdoor Dining Application

Address: 427 Biltmore Way, 2<sup>nd</sup> Floor, Coral Gables, Florida 33134  
Email: [planning@coralgables.com](mailto:planning@coralgables.com) Phone: 305.460.5211

## Application review request

The undersigned applicant(s)/agent(s)/property owner(s)/tenant(s) request(s) outdoor dining for the following location(s) (please check all that apply):

- Temporary outdoor seating for restaurants located on public property.
- Outdoor seating for restaurants located on private property.
- Other: \_\_\_\_\_

The undersigned applicant(s)/agent(s)/property owner(s)/tenant(s) request(s) the following type of outdoor dining design review:

- Pre-Approved Design Review. For applications that comply with the Outdoor Dining Plan for Expedited Outdoor Dining Permits utilizing pre-approved locations, configurations, and pre-approved furniture options, reviewed and approved administratively by the Development Review Official.
- Special Design Review. For applications seeking unique outdoor dining locations, configurations, and furniture not addressed in the Miracle Mile and Giralda Plaza Outdoor Dining Plan, Board of Architects approval shall be required as per the Zoning Code.

## Property information

Property/name of business: WOLFE'S WINE SHOPPE

Street address: 124 MIRACLE MILE

Legal Description: Lot(s): 1754 41 PB 10-40 LOTS 16x17

Block(s): BLK 3 Section(s): CORAL GABLES CRAFTS SEC

Folio number(s): 03-4117-005-0550

Last/current use: WINE SHOPPE

Proposed use(s): SAME ADD OUTSIDE TABLES FOR CONSUMPTION

Size of property (square feet): INSIDE 1500 SQ FT APPROX

Total floor area (total square feet/FAR): \_\_\_\_\_

Size of public outdoor dining space (square feet): 70 sq FT APPROX

Size of private outdoor dining space (square feet): NA

**Miracle Mile & Giralda Plaza Outdoor Dining Application**

**General information**

Applicant(s)/Agent(s) Name(s): JEFFREY WOLFE

Telephone Contact No: 305 445 4567 Fax No.: 487 Email: JEFFREY @ WOLFESWINES.CC

Mailing Address: 124 Miracle Mile C. GABLES FL 33134  
(City) (State) (ZIP Code)

Property Owner(s) Name(s): Angelo Vitucci

Telephone Contact No: 305.442.1430 Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_ @ \_\_\_\_\_

Mailing Address: 1000 WEST ISLAND BLVD FL 33160  
(City) (State) (ZIP Code)

Property Owner(s) Name(s): \_\_\_\_\_

Telephone Contact No: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_ @ \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

Tenant(s)/Business Owner(s) Name(s): \_\_\_\_\_

Telephone Contact No: \_\_\_\_\_ Fax No.: \_\_\_\_\_ Email: \_\_\_\_\_ @ \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

Provide the date(s) and types of application(s) previously filed with the City of Coral Gables and type of reviews, approvals, actions related to this request:

NA  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Miracle Mile & Giralda Plaza Outdoor Dining Application

### Outdoor Dining Requirements

#### Outdoor Dining Locations:

1. Outdoor dining on public property shall be permitted within the Pre-Approved Outdoor Dining Locations, subject to the restrictions below and the regulations provided in Zoning Code Sections 4-206 and 5-119.
2. Outdoor dining on private property shall be permitted provided it does not interfere with the circulation of pedestrian traffic on the adjoining right-of-way, subject to the regulations provided in Zoning Code Section 5-119.
3. Outdoor Dining on public property shall be restricted to the frontage of the abutting business property frontage line. The utilization of space extending no more than fifty (50) linear feet on either side of the property frontage line may be authorized and transferable subject to a written consent between the neighboring Property Owners and/or Tenants in front of whose businesses the Outdoor Dining service shall occur. Said written consent must stipulate that, if any of the two (2) properties go Out-of-Business, the Property Owners and the Tenants must forfeit their written consent and the individual property/frontage bundle of rights shall revert back to the original state. Should obstacles in the public right-of-way prohibit a restaurant from being able to provide outdoor dining in front of, or adjacent to, their place of business, the Development Review Official may permit the restaurant to use other underutilized outdoor dining areas in close proximity to the restaurant, subject to the same written consent requirements provided above.
4. Outdoor dining furniture shall be located at least ten (10) feet from the storefront or façade of the building. If the building is set back then a ten (10) foot clearance of the sidewalk from the property line shall be maintained.
5. Outdoor dining furniture shall be located at least five (5) feet from public street furniture (i.e. benches, parking pay stations, kiosks, etc.) excluding bollards and light poles.
6. A clear and unobstructed path at least five (5) feet in width extending from the entrance of the business through the outdoor dining areas shall be provided at all times for both public and private dining locations.
7. A maximum of one (1) umbrella per table shall be permitted. All portions of an umbrella shall be at least six (6) feet eight (8) inches above the right-of-way. Umbrellas may not be clipped, zipped or otherwise fastened together in order to form a tent like structure. Clear plastics or other materials may not be fastened, rolled or otherwise attached to umbrella edges in order to create an enclosure.
8. Live entertainment in permitted areas shall comply with noise regulations and hours of operation.
9. Planters within outdoor dining areas shall be set at a minimum of ten (10) feet from the property line. Planters shall not block the normal pedestrian flow or impede handicap accessibility on any sidewalk area or street crossing, including access to on-street parking. Planters shall not enclose portions of the sidewalk but may be used as buffers from vehicular traffic. Artificial planting materials (i.e. fake flowers and plants) shall be prohibited within planters. It shall be the permittee's responsibility to immediately remove planters, upon written and/or verbal notice from the City Manager, in case of emergency or other circumstances. Maximum size of planters shall not exceed the following:
  - a. Rectangular planters: A maximum thirty (30) inches long, by fifteen (15) inches wide by twenty (20) inches high.
  - b. Round planters: A maximum of twenty-four (24) inches diameter by twenty-four (24) inches high.
  - c. Planters twenty (20) inches or higher shall be on rollers or on rolling bases.
  - d. The combination of planters and plant height should not exceed a table height of thirty-four (34) inches.
10. All Outdoor Dining facilities on public rights-of-way shall be located at the same elevation as the adjoining sidewalk.

## Miracle Mile & Giralda Plaza Outdoor Dining Application

11. Outdoor Dining shall not interfere with the free and unobstructed public access to any bus stop, crosswalks, public seating areas and conveniences, street intersections, alley, service easements, handicap facilities, access to adjacent commercial establishments, fire hydrants and/or other City utilities.
12. The Development Review Official may impose conditions to address potential harms and nuisances to serve the health, safety and welfare, and in particular, to ensure compatibility of the various uses within the right-of-way and adjoining areas.
13. No food preparation, food storage, refrigeration apparatus or equipment, or fire apparatus or equipment, shall be allowed on the right-of-way.
14. No food displays shall be permitted outside of the establishment.
15. No advertising signs or business identification signs shall be permitted on the public right-of-way.
16. No retail sales or displays shall be allowed on any public right-of-way areas, except as otherwise approved by the City Manager or his/her designee on a conditional and revocable basis where said displays are found to be compatible with, and further, City objectives.

### Hours of Operation and Music Outdoors:

1. Sunday night into Monday morning through Thursday night into Friday morning, the hours of operation of public outdoor portions of restaurants, lounges, and/or entertainment establishments is prohibited from 12:00 AM (midnight) to 8:00 AM; no live music shall be played outdoors from 11:00 PM to 10:00 AM.
2. Friday night into Saturday morning and Saturday night into Sunday morning, the hours of operation of public outdoor portions of restaurants, lounges, and/or entertainment establishments shall be extended to 1:00 AM the following day; no live music shall be played outdoors from 12:00 AM (midnight) to 10:00 AM.
3. Recorded music shall be prohibited outdoors at all times.
4. Amplified music, including amplified live music, shall be prohibited outdoors at all times.

### Additional requirements:

1. The area covered by a sidewalk cafe permit, and the sidewalk and street immediately adjacent to it, shall be maintained in a clean, neat and orderly appearance at all times by the permittee. The area of the sidewalk, curb and gutter immediately adjacent to the sidewalk cafe shall be cleared of all debris during hours of operation, and again at the close of each business day, or as may otherwise be determined by the Development Review Official.
2. Tables, chairs, umbrellas and any other sidewalk cafe furniture shall be maintained in a clean, attractive, and orderly appearance, and shall be maintained and kept in good repair at all times.
3. All sidewalk cafe furniture shall be of high quality, design, materials, and workmanship so as to ensure the safety and convenience of the public.
4. The stacking or piling up of chairs shall be prohibited on the right-of-way at all times.
5. The Development Review Official may require a permittee to store its tables, chairs and/or umbrellas off of the right-of-way if, in his reasonable judgment and discretion, the Development Review Official determines that the sidewalk cafe permit area and immediately adjacent public right-of-way are not being adequately maintained in accordance with this division.
6. Umbrellas shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. Umbrella signage is limited to tenant name or logo and shall be reviewed by the Development Review Official.
7. Plants shall be properly maintained. Distressed plants shall be promptly replaced. Plant fertilizers which contain material that can stain the sidewalks shall not be allowed. Water drainage from any plants onto the sidewalk shall not be allowed. Potted plants shall have saucers or other suitable systems to retain seepage.

## Miracle Mile & Giralda Plaza Outdoor Dining Application

### Application requirements and supporting information

1. Electronic copy. One (1) PDF of the entire application shall be submitted via email to [PZapplications@coralgables.com](mailto:PZapplications@coralgables.com) including all the items identified in the pre-application conference. Plans and drawings shall be in 11" x 17" format.
2. Hard Copies (required for Special Design Reviews only). Two (2) hard copies of the entire application. Plans and drawings shall be in 11" x 17" format. Include manufacturer specifications of the proposed furniture, including color photographs or illustrations.

Application submittal (order of documents). The order of the required documents for the application submittal shall be as follows:

- Outdoor Dining Application.
- Photographs of property, adjacent uses and/or streetscape.
- Aerial or location map of property.
- Site Plan Sketch of outdoor seating (indicate the total number of tables and chairs).
- Furniture Selection(s).
- Board of Architects stamp of approval (for Special Design Reviews).

The following may be required as determined by the Development Review Official at pre-application meeting:

- Written consent to utilize outdoor dining space in front of adjacent property owner.
- Property survey.
- Architectural/building elevations.
- Building floor plans.
- Proof of Insurance.
- City of Coral Gables Annual Registration Application and Issue Application Lobbyist forms.
- Warranty Deed.
- Other: \_\_\_\_\_

### Application fees

1. Application fee: \$250.00.
2. Fee for utilizing outdoor dining on private property: No additional fee.
3. Fee for utilizing outdoor dining on public property: \$15.00 per square foot per year.
4. Permits for outdoor dining shall be issued for a period of two (2) years, renewable biannually.
5. Fees must be in check form, payable to the City of Coral Gables.



Miracle Mile & Giralda Plaza Outdoor Dining Application

AS TO OWNER(S):

[Signature]  
Signature

A. Vittuci  
Signature

\_\_\_\_\_  
Print Name & Title (if applicable)

\_\_\_\_\_  
Print Name & Title (if applicable)

Notarization of Owner's/Owners' Execution

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of FEB, in the year 2019, by A. Vittuci, who is/are personally known to me or has/have produced \_\_\_\_\_ as identification.

My Commission Expires:



**Elena Marie Parox**  
COMMISSION # GG141444  
EXPIRES: Sept. 6, 2021  
Bonded Thru Aaron Notary

[Signature]  
Notary Public, State of Florida

**APPROVED AS TO FORM AND LEGAL SUFFICIENCY:**

\_\_\_\_\_  
Miriam Soler Ramos, City Attorney  
Cristina M. Suárez, Deputy City Attorney  
Stephanie Throckmorton, Assistant City Attorney  
Gustavo J. Ceballos, Assistant City Attorney

Miracle Mile & Giralda Plaza Outdoor Dining Application

AS TO TENANT(S):

J Wolfe  
Signature

J. WOLFE  
Signature

Print Name & Title (if applicable)

Print Name & Title (if applicable)

Notarization of Tenant's/Tenants' Execution

STATE OF FLORIDA )  
COUNTY OF MIAMI-DADE )

The foregoing instrument was acknowledged before me this 7<sup>th</sup> day of FEB, in the year \_\_\_\_\_, by J. WOLFE, who is/are personally known to me or has/have produced \_\_\_\_\_ as identification.

My Commission Expires:

[Signature]  
Notary Public, State of Florida



**Elena Marie Parodi**  
**COMMISSION # GG141444**  
**EXPIRES: Sept 6, 2021**  
**Bonded Thru Aaron Notary .**

NEIGHBORHOOD MEETING

WOLFE'S  
SHOPPE

December 16<sup>th</sup> 2019

INVITATION TO NEIGHBORHOOD MEETING

RE: 124 MIRACLE MILE / PROPOSED OUTDOOR SEATING

Dear Neighboring Property Owner,

On behalf of Wolfe's Wine Shoppe I would like to invite you to an informal meeting here at my business to present my wish to have 16 seats outside at my wine shoppe. The meeting will take place on:

**Monday December 30<sup>th</sup> at 6:30pm**  
**Wolfe's Wine Shoppe**  
**124 Miracle Mile**  
**Coral Gables FL 33134**

With regards,



Jeffrey Wolfe

December 16, 2019

City of Coral Gables  
405 Biltmore Way  
Coral Gables, Florida 33134

**Re: Property owners within 1,000 feet of:**

**SUBJECT:** 124 Miracle Mile, Coral Gables, FL 33134

**FOLIO NUMBER:** 03-4117-005-0550

**LEGAL DESCRIPTION:** CORAL GABLES CRAFT SEC LOTS 16 & 17 BLK 3

This is to certify that I, Jeffrey W. W. W. mailed 886 notices to a complete and accurate representation of the real estate property and property owners within 1,000 feet radius of the external boundaries of the subject property listed above. This reflects the most current records on the file in Miami-Dade County Property Appraisers' Office. Only properties within the City of Coral Gables are included.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey W. W. W.", is written over a horizontal line.

Total number of property owners without repetition: **886**



December 31<sup>st</sup> 2019

**RE: NEIGHBORHOOD MEETING**

**RE: 124 MIRACLE MILE / PROPOSED OUTDOOR SEATING**

Meeting was held on :



**Monday December 30<sup>th</sup> at 6:30pm  
Wolfe's Wine Shoppe  
124 Miracle Mile  
Coral Gables FL 33134**

**Jeffrey Wolfe opened the meeting at 6:30pm at the above address. Presented were the facts that the business wants to put 4 tables and 16 chairs outside on the sidewalk to take advantage of the renovated sidewalk and bring some life to the South side of the 100 block of Miracle Mile.**

**All that were in attendance we in favor and hoped that it would happen rapidly.**

*J. Wolfe*

---

	<p align="center"><b>City of Coral Gables Courtesy Public Hearing Notice</b></p> <p align="center"><b>December 26, 2019</b></p>	
<p><b>Applicant:</b></p>	<p><b>Jeffrey Wolfe</b></p>	
<p><b>Application:</b></p>	<p><b>Conditional Use for Outdoor Seating fronting Miracle Mile</b></p>	
<p><b>Property:</b></p>	<p><b>124 Miracle Mile</b></p>	
<p><b>Public Hearing - Date/Time/ Location:</b></p>	<p><b>Planning and Zoning Board January 8, 2020, 6:00 p.m. City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134</b></p>	

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, the City Commission will conduct a Public Hearing on January 8, 2020 on the following application at the Coral Gables City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida.

An application has been submitted by Wolfe’s Wine Shoppe, for a commercial business located at 124 Miracle Mile, requesting the ability to place tables and chairs for outdoor seating fronting Miracle Mile in Public Right-Of-Way. Per Ordinance No. 2019-34, outdoor seating for nonrestaurant facilities fronting Miracle Mile and Giralda Plaza, is only permitted per Conditional Use approval.

The Resolution under consideration is as follows:

*A Resolution of the City Commission of Coral Gables, Florida granting conditional use approval pursuant to Zoning Code Article 4, “Zoning Districts,” Section 4-206, “Business Improvement Overlay District (BIOD)”, to permit outdoor seating fronting Miracle Mile for a nonrestaurant facility Wolfe’s Wine Shoppe on property legally described as Lots 16 and 17, Block 3 of Crafts Section (124 Miracle Mile); including required conditions; providing for severability, repealer, and an effective date*

All interested parties are invited to attend and participate. Please visit the City webpage at [www.coralgables.com](http://www.coralgables.com) to view information concerning the application. The complete application is on file and available for examination during business hours at the Planning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134. Questions and written comments regarding the application can be directed to the Planning and Zoning Division at [planning@coralgables.com](mailto:planning@coralgables.com), Fax: 305.460.5327 or Phone: 305.460.5211. Please forward to other interested parties.

Sincerely,

*City of Coral Gables, Florida*

**MIAMI DAILY BUSINESS REVIEW**

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

NOTICE OF PUBLIC HEARING  
CITY OF CORAL GABLES - LOCAL PLANNING AGENCY /  
PLANNING AND ZONING BOARD - JAN. 8, 2020

in the XXXX Court,  
was published in said newspaper in the issues of

12/27/2019

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

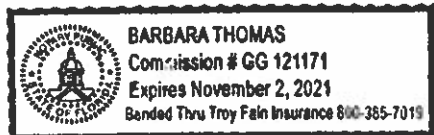
*Guillermo Garcia*  
\_\_\_\_\_

Sworn to and subscribed before me this  
27 day of DECEMBER, A.D. 2019

*Barbara Thomas*  
\_\_\_\_\_

(SEAL)

GUILLERMO GARCIA personally known to me



**CITY OF CORAL GABLES, FLORIDA  
NOTICE OF PUBLIC HEARING**

City Public Hearing Local Planning Agency / Planning and Zoning Board  
Dates/Times Wednesday, January 8, 2020, 6:00 - 9:00 p.m.  
Location City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA) Planning and Zoning Board (PZB) will conduct Public Hearing on the following:

1. A Resolution of the City Commission of Coral Gables, Florida granting conditional use approval pursuant to Zoning Code Article 4, "Zoning Districts," Section 4-206, "Business Improvement Overlay District (BIOD)", to permit outdoor seating fronting Miracle Mile for a nonrestaurant facility, Wolfe's Wine Shoppe, on property legally described as Lots 16 and 17, Block 3 of Crafts Section (124 Miracle Mile); including required conditions; providing for severability, repealer, and an effective date.
2. A Resolution of the City Commission of Coral Gables, Florida granting conditional use approval pursuant to Zoning Code Article 4, "Zoning Districts," Division 2, "Overlay and Special Purpose Districts," Section 4-208.A.3(a), "Residential Infill Regulations (RIR)," for a multi-family building on property zoned Multi-Family 2 (MF2) legally described as lots 12, 13, 14, 15 and 16, Block 11 of Douglas Section (generally located Santillane Avenue at mid-block between Ponce de Leon Boulevard and Salzedo Street), Coral Gables, Florida; including required conditions; providing for severability, repealer, and an effective date.
3. An Ordinance of the City of Coral Gables, Florida amending the City of Coral Gables Zoning Code, Article 3, "Development Review," Section 3-606, "Procedures for appeals," to afford staff an additional 72 hours to appeal City Board decisions if a filed appeal is determined to be deficient.
4. An Ordinance of the City of Coral Gables, Florida amending the City of Coral Gables Zoning Code, Article 3, "Development Review", Section 3-606 "Procedures for appeals," to include Dade Heritage Trust Inc. as an "aggrieved party" for the purpose of appeals from the Historic Preservation Board.
5. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Article 5, "Development Standards," Section 5-107, "Playhouse", and Section 109, "Recreational Equipment", clarifying provisions for play structures and recreational equipment; providing for severability clause, codification, and providing for an effective date.



All interested parties are invited to attend and participate. Upon recommendation by the Board, the applications will be scheduled for City Commission consideration. Please visit the City webpage at [www.coralgables.com](http://www.coralgables.com) to view information concerning the applications. The complete applications are on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134. Questions and written comments can be directed to the Planning and Zoning Division at [planning@coralgables.com](mailto:planning@coralgables.com) (FAX: 305.460.5327) or 305.460.5211.

Ramon Trias  
Director of Planning and Zoning  
Planning & Zoning Division  
City of Coral Gables, Florida

Any person, who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, as amended, must register with the City Clerk prior to engaging in lobbying activities before City Staff, Boards, Committees or City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall. If a person decides to appeal any decision made by a Board, Committee or City Commission with respect to any matter considered at a meeting or hearing, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Any meeting may be opened and continued and, under certain circumstances, additional legal notice will not be provided. Any person requiring special accommodations in order to attend or participate in the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta (Email: [relejabarrieta@coralgables.com](mailto:relejabarrieta@coralgables.com)), Telephone: 305-722-8686, TTY/TDD: 305-442-1600, at least three (3) working days prior to the meeting. All meetings are telecast live on Coral Gables TV Channel 77.

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