



City of Coral Gables
CITY COMMISSION MEETING
March 9, 2010

ITEM TITLE:

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES AMENDING THE LEASE AGREEMENT BETWEEN CORAL GRAND, LLC AND THE CITY OF CORAL GABLES, FLORIDA, FOR THE LONG-TERM MANAGEMENT AND OPERATIONS OF A CITY-OWNED FACILITY KNOWN AS " THE COUNTRY CLUB OF CORAL GABLES," LOCATED AT 997 NORTH GREENWAY DRIVE, CORAL GABLES, FLORIDA, AND PROVIDING FOR FUTURE AMENDMENTS BE ADOPTED BY RESOLUTION, FOR A SEVERABILITY CLAUSE; A REPEALER PROVISION, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.

RECOMMENDATION OF THE CITY MANAGER:

Approval.

BRIEF HISTORY:

The amendments to the Lease Agreement between the Operator of the Country Club and the City primarily provides up to a one (1) year extension of time from the original dates for the opening of the restaurant and banquet facilities in order to complete the build-out of the work required under the Lease, and facilitate the opening of the premises to the public. The Operator anticipates opening the restaurant this Fall and the banquet facilities in the Spring. The lease amendments also provide for modification and clarification to related provisions, in addition to, reflecting the completion of certain capital projects identified in the lease, as landlord responsibilities. The Operator will receive a credit against percentage rent for 6 months of insurance costs (approximately \$8,500 per month) incurred during the delay described below. Once the Operator takes possession of the facility, the City's ongoing operating and maintenance costs will be eliminated, and rent payments will commence shortly thereafter.

The following provides a recap of the events from the execution of the lease agreement on August 6, 2009.

Coral Grand, LLC requested amendments to the original site plan approved issued in July 2002 (Ord. No. 3587). The requested amendment, include, but was not limited to, outdoor seating for a Café and additional outdoor seating for the Restaurant, along North Greenway Drive. On September 15, 2009 the Historic Preservation Board approved the proposed amendments and on September 16, 2009 the Planning and Zoning Board also approved the proposed site plan amendments, including, but not limited to, outdoor dining for the Café and restaurant uses.

On September 22, 2009, an Ordinance was presented on first reading providing for the site plan amendments, which included out door dining for the Café and Restaurant. After deliberation, the City Commission approved the amendments, excluding out door dining.

On October 13, 2009, as part of the public hearing and during a presentation, Mr. Nick DiDonato, President of Coral Grand, LLC offered an amendment to the application, reducing the outdoor seating in an effort to request reconsideration of the outdoor seating. During the deliberation on this matter, the City Commission discussed extending lease obligations related to opening and deferred the item to allow for a neighborhood meeting and further deliberation on the outdoor dining issue.

On November 3, 2009, a neighborhood meeting was held at the Country Club facility. Coral Grand, LLC presented the plans/improvements to the facility and received public input.

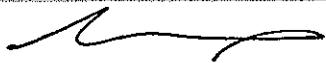
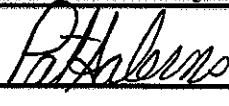
On November 17, 2009, the City Commission continued deliberation on “outdoors dining,” resulting in a 2-2 vote (1 Abstention), requiring that the item be carried over to the next meeting.

On December 15, 2009, the City Commission continued deliberating on “outdoors dining,” and again the deliberation resulted in a 2-2 vote (1 Abstention). This second tie vote denied the request for outdoor seating for the Café and Restaurant, along North Greenway Drive.

LEGISLATIVE ACTION:

Date	Resolution/Ordinance No.	Comments
June 4, 2009	Ordinance No. 2009-29	Ordinance authorizing execution of the lease
October 13, 2009	Ordinance No. 2009-47	Ordinance authorizing site plan amendments
February 23, 2010	--	Ordinance adopted on 1 st Reading.

APPROVED BY:

Assistant City Manager	City Attorney	City Manager
		

ATTACHMENT(S):

1. **Ordinance**
2. **Lease Amendment executed by the Operator**
3. **Lease Amendment (red-line)**
4. **Ordinance No. 2009-29**
5. **Lease Agreement**