



Legislation Details (With Text)

**File #:** 17-5800      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Adopted  
**File created:** 2/8/2017      **In control:** City Commission  
**On agenda:** 2/14/2017      **Final action:** 2/14/2017  
**Enactment date:** 2/14/2017      **Enactment #:** 2017-34

**Title:** 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.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Signed Resolution 2017-34, 2. Signed Cover Memo - Wolfe's Wine Shoppe, 3. Draft Reso - Wolfe's Wine Shoppe, 4. Signed Letter of Intent, 5. Certificate of Use and Liquor Survey

Date	Ver.	Action By	Action	Result
2/14/2017	1	City Commission	adopted by Resolution Number	Pass

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.

In anticipation of the upcoming Miracle Mile and Giralda Avenue overlay district, 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 established by the City Manager with approval from the City Commission.

Wolfe’s Wine Shoppe is a family-owned specialty wine store that has operated at 124 Miracle Mile for seventeen years. In order to allow them to sell wine by the glass, they need to obtain an on-premises alcoholic beverage license for which they need approval under City Code, Section 6-4. Pursuant to Section 6-4, retail beverage and retail liquor store licenses may be issued to non-restaurant facilities by the City Commission following administrative review by the City Manager.

In order for a non-restaurant facility to qualify for a retail beverage or retail liquor store license under this section, the following minimum requirements must be met:

- (1) That the non-restaurant facility shall have a valid certificate of use and occupational license.
- (2) The sale of alcoholic beverages and intoxicating liquors shall be only incidental to the primary function of the facility.
- (3) Permanent bars or counters with a surface area not exceeding 45 square feet shall be permitted.
- (4) Total receipts from the sale of alcoholic beverages and intoxicating liquors shall not exceed 25 percent of the total annual gross receipts.
- (5) Non-restaurant facilities holding a state retail beverage or retail liquor store license shall always be subject to inspection by the City Manager or her designee for the purpose of determining that such non-restaurant facilities are in compliance with the existing requirements.

Wolfe's Wine Shoppe meets the minimum requirements set forth above. In interpreting City Code, Section 6-4 (b), the City Attorney has 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. In other words, for purposes of subsections (2) and (4), the sale of wine by the glass should be construed as incidental to the primary function of the business (i.e. the retail sale of wine by the bottle), and the total receipts from wine by the glass sales must not exceed 25 percent of the total annual gross receipts of the business.

This Resolution will allow 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.