




To: Scott Masington, Carmen Olazabal, Fred Couceyro

From: Craig E. Leen, City Attorney for the City of Coral Gables 

RE: Legal Opinion Regarding Coral Gables Congregational Church Parking

Date: February 8, 2013

The property cannot be used on a recurring basis as a parking lot under the Zoning Code. Accordingly, to be considered, the request would have to be assessed under Chapter 62 of the City Code, since it is not an otherwise permitted recurring use, and since the proposed use would also affect the adjoining right of way (hence, it would be analyzed as a special event). Assuming that Chapter 62 applies, sections 62-224 and 62-225 grant certain authority to the City Manager to permit or deny such a request, and place conditions on it as well. As I recall, this is the section that was used to consider the prior request relating to the July 4th events. We should discuss this further tomorrow so we can get back to them soon.

Hernandez, Cristina

From: Leen, Craig
Sent: Friday, February 08, 2013 10:31 AM
To: Hernandez, Cristina
Subject: FW: Parking

Importance: High

Please place in the opinion file.

Craig E. Leen
City Attorney
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com

From: Leen, Craig
Sent: Friday, February 08, 2013 10:30 AM
To: 'Laurie Hafner'; Olazabal, Carmen
Cc: Dennis Rodrigues; Masington, Scott; Couceyro, Fred; 'bthornton@coralgables.com'
Subject: RE: Parking
Importance: High

Dr. Hafner,

The City has completed its review of your request. As previously discussed, the property may not be used on a recurring basis as a parking lot under the Zoning Code. Based on the special circumstances presented below, however, the City Manager's Office (in consultation with my office and other City staff) will allow the requested use of the area for parking on this particular occasion under the authority provided in Chapter 62 of the City Code. As you have requested, the Church may use the area for parking on Sunday, February 10, from 10:00 a.m. – 1:00 p.m for overflow parking related to its Mardi Gras event. The Church has agreed to have attendants present to help with the parking, which is a condition of this approval. The Church would also need to ensure that there is not undue interference with the City's right of way (i.e. the flow of traffic), and comply with any further conditions provided by the police department (I am copying Chief Masington on this email). Of course, the City reserves the right to modify or change this approval if public safety or other conditions warrant.

Please let me know if you have any questions.

Best regards,

Craig E. Leen
City Attorney
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264

Hernandez, Cristina

From: Leen, Craig
Sent: Wednesday, February 06, 2013 6:29 PM
To: Hernandez, Cristina
Subject: Fwd: Parking

Please place in opinion file.

Sent from my iPhone

Begin forwarded message:

From: "Leen, Craig" <cleen@coralgables.com>
Date: February 6, 2013 5:29:47 PM EST
To: "Masington, Scott" <smasington@coralgables.com>, "Couceyro, Fred" <fcouceyro@coralgables.com>, "Olazabal, Carmen" <colazabal@coralgables.com>
Cc: "Tompkins, Jane" <jtompkins@coralgables.com>, "Trias, Ramon" <rtrias@coralgables.com>, "Thornton Richard, Bridgette" <bthornton@coralgables.com>
Subject: RE: Parking

The property cannot be used on a recurring basis as a parking lot under the Zoning Code. Accordingly, to be considered, the request would have to be assessed under Chapter 62 of the City Code, since it is not an otherwise permitted recurring use, and since the proposed use would also affect the adjoining right of way (hence, it would be analyzed as a special event). Assuming that Chapter 62 applies, sections 62-224 and 62-225 grant certain authority to the City Manager to permit or deny such a request, and place conditions on it as well. As I recall, this is the section that was used to consider the prior request relating to the July 4th events. We should discuss this further tomorrow so we can get back to them soon.

Craig E. Leen
City Attorney
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com

From: Masington, Scott
Sent: Wednesday, February 06, 2013 5:00 PM
To: Couceyro, Fred; Olazabal, Carmen; Leen, Craig
Cc: Tompkins, Jane; Trias, Ramon
Subject: RE: Parking

I think Craig needs to respond. I recall when we discussed it for the 4th of July we wanted them to get a special event permit. My concern is that once we allow the use, we set a precedent and ultimately we are authorizing a violation of our own ordinance.

Acting Chief Scott Masington
Coral Gables Police Department
305-460-5457

smasington@coralgables.com

From: Couceyro, Fred
Sent: Wednesday, February 06, 2013 1:20 PM
To: Olazabal, Carmen; Leen, Craig; Masington, Scott
Cc: Tompkins, Jane; Trias, Ramon
Subject: RE: Parking

This was not allowed through a special event permit. I believe the permission was given through CM's office.

Fred Couceyro, CPRP
Parks and Recreation Director
City of Coral Gables Parks and Recreation Division
405 University Drive, Coral Gables, FL 33134
T: 305.460.5604 • F: 305.460.5639
<http://www.gablesrecreation.com>

It Starts In Parks



Coral Gables is proud to be a 2009, 2010 and 2011 Playful City USA Community.

City of Coral Gables Parks & Recreation Department Mission Statement:

To enhance the quality of life for residents and guests of all ages through recreational opportunities and facilities that create memorable life experiences.

From: Olazabal, Carmen
Sent: Wednesday, February 06, 2013 11:24 AM
To: Leen, Craig; Masington, Scott; Couceyro, Fred
Cc: Tompkins, Jane; Trias, Ramon
Subject: RE: Parking

Fred,

Was this allowed in the past through a special event permit?

Scott,

Could you let us know your opinion with regards to letting them use this lot for parking? Is it in your view better for the neighbors as they will have less cars parked in their swale like they claim?

Please advise.

I am available tomorrow if we need to meet on this matter.

Thank you,

Carmen Olazabal, P.E.
Assistant City Manager for Operations
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Office: (305) 460-5204
colazabal@coralgables.com

Email: cleen@coralgables.com

From: Laurie Hafner [mailto:LaurieH@ucc-cgcc.org]
Sent: Friday, February 08, 2013 5:02 AM
To: Olazabal, Carmen; Leen, Craig
Cc: Dennis Rodrigues; Masington, Scott; Couceyro, Fred
Subject: RE: Parking

I have scoured my files, the church's files, etc., but cannot seem to locate the approval. I do know it was for the July 4th Biltmore event and for our July 5 Glen Miller concert held at the church. Both occasions it went very well and no neighbors complained as compared to when we hold events where cars are parked up and down the streets adjacent to the church.

Thank you so much for your help in this matter.

Laurinda Hafner

The Rev. Dr. Laurinda Hafner
Senior Pastor
Coral Gables Congregational Church
United Church of Christ
3010 DeSoto Boulevard
Coral Gables, Florida 33134
305.448.7421
www.coralgablescongregational.org.

Save the earth it's the only planet with chocolate!

From: Olazabal, Carmen [mailto:colazabal@coralgables.com]
Sent: Thursday, February 07, 2013 9:38 AM
To: Leen, Craig; Laurie Hafner
Cc: Dennis Rodrigues; Masington, Scott; Couceyro, Fred
Subject: RE: Parking

Ms. Hafner,

Do you by any chance have a copy of the previous approval that was granted by the City last summer?

Carmen Olazabal, P.E.

Assistant City Manager for Operations
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Office: (305) 460-5204
colazabal@coralgables.com

From: Leen, Craig
Sent: Wednesday, February 06, 2013 10:34 AM
To: Laurie Hafner
Cc: Dennis Rodrigues; Olazabal, Carmen; Masington, Scott; Couceyro, Fred
Subject: RE: Parking

Dr. Hafner,

Thank you for your email, and I hope you are doing well. As I recall, the City granted permission on that occasion because of the July 4th fireworks special event (where there would be overflow parking affecting the right-of-way throughout that area of the City). As we've discussed, there are zoning issues that restrict the ability to use that lot as a parking area. I am forwarding your request to the Assistant City Manager, Chief of Police, and Parks Director for their consideration, and will confer with them regarding the matter. The City will get back to you soon, and please let me know if you have any questions.

Craig E. Leen
City Attorney
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com

From: Laurie Hafner [<mailto:LaurieH@ucc-cgcc.org>]
Sent: Wednesday, February 06, 2013 8:07 AM
To: Leen, Craig
Cc: Dennis Rodrigues
Subject: Parking

Dear Mr. Leen:

We spoke last summer about the possibility of Coral Gables Congregational Church, across from the Biltmore Hotel, occasionally using the green space that we own at the corner of Malaga and De Soto for additional, carefully orchestrated parking for special church events. You were so kind as to give us permission to use the lot for two events last summer when we presented two wonderful concerts that were well attended by the community. All went very well and use of that space prevented cars from parking up and down the streets surrounding the church and made for more graceful, organized parking.

We would like permission to use our lot once again for parking this Sunday, February 10, from 10:00 a.m. – 1:00 p.m. as we are hosting a special Mardi Gras service and expect an overflow crowd. There will be attendants to help park the cars in an orderly manner. Also, the only house that sits directly next to the empty lot is my home so it would not be a problem to have people park there.

As I mentioned before, part of our challenge is that visitors and staff of the Biltmore and Gables Stage use our paved parking lot and by Sunday morning worship it is often already half filled. We also keep noticing that University Baptist Church uses the empty lot across from their church on Bird for parking and I'm hoping we can have the same consideration.

As the first public building in Coral Gables and the church of George Merrick, we take our role in the community very seriously. We want to be a good neighbor to not only those who live by us but also to the Biltmore and Gables Stage. If we could provide more accessible parking, I believe that the neighbors would be happier not having cars in their front yards and people will keep returning to this area for events, concerts, services, and entertainment. All of which is great for the City.

I am cc'ing our business manager, Dennis Rodrigues on this request. If you have any further questions or concerns please do not hesitate to contact either one of us.

Thank you for any consideration you might give us with this request.

Sincerely,

 Laurinda Hafner

The Rev. Dr. Laurinda Hafner
Senior Pastor
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United Church of Christ
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