

**RESOLUTION NO. 07- 581 Z**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, APPROVING WITH CONDITIONS AN AMENDMENT TO RESOLUTION 06-378Z APPROVED WITH CONDITIONS BY THE TOWN COUNCIL ON FEBRUARY 21, 2006 TO ALLOW THE SALE AND CONSUMPTION OF WINE, BEER, AND ALCOHOL, WHERE CONDITION 3 CURRENTLY ONLY PERMITS THE SALE OF WINE AT 15458 NW 77<sup>th</sup> COURT, UNIT 210, MIAMI LAKES, FLORIDA, LOCATED IN THE ROYAL OAKS SHOPPING CENTER, PROVIDING FINDINGS; PROVIDING FOR CONDITIONS OF APPROVAL; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR APPEAL.**

**WHEREAS**, pursuant to Division 3.3 of the Town of Miami Lakes (the “Town”) Land Development Code (the “Town LDC”), Havana Group Cigars Lounge (the “Applicant”) applied to the Town and received approval of a conditional use in Resolution 06-378Z to waive Section 33-150(A) & (B) of the Town LDC, which requires (a) no premises shall be used for the sale of any alcoholic beverages to be consumed on or off the premises where the structure or place of business intended for such use is located less than 1,500 feet from a place of business having an existing, unabandoned, legally established alcoholic beverage use, which permits consumption on or off the premises; and (b) no premises shall be used for the sale of alcoholic beverages to be consumed on or off the premises where the structure or place of business intended for such use is located less than 2,500 feet from a religious facility or public school for property located at 15458 NW 77<sup>TH</sup> Court, Unit 202, Miami Lakes, Florida, legally described as a leasehold interest in a part of Folio # 32-2015-006-0010, within the Royal Oaks Shopping Center; and

**WHEREAS**, Division 3.3 of the LDC sets forth the authority of the Town Council to consider and act upon an application for a Conditional Use; and

**WHEREAS**, in accordance with Division 3.9 of the LDC proper notice has been mailed to the appropriate property owners of record; the public hearing on the Conditional Use has been noticed for October 16, 2007 at 7:00 p.m. at Miami Lakes Middle School, 6425 Miami Lakeway North, Miami Lakes, FL 33014; and all interested parties have had the opportunity to address their comments to the Town Council; and

**WHEREAS**, Town Staff has reviewed the application and recommends approval of the requested change to the existing Conditional Use, as set forth in the Staff Analysis and Recommendation (the “Staff Analysis”), attached as Exhibit “A,” and incorporated into this Resolution by this reference.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals.**

The above recitals are true and correct and incorporated into this Resolution by this reference.

**Section 2. Findings.**

In accordance with Division 3.3 of the LDC, the Town Council finds that the Applicant meets and has continued to meet the criteria in Division 3.3(c) since adoption of Resolution 06-378, which are as follows:

1. Land Use Compatibility; and
2. Sufficient Site Size, Site Specifications, and Infrastructure to Accommodate the Proposed Use; and
3. Compliance with the Comprehensive Plan and Land Development Code; and
4. Proper Use of Mitigative Techniques; and
5. Hazardous Waste.

**Section 3. Approval / Denial.**

The Conditional Use amending and replacing the conditional use approved in Resolution 0-378Z to allow for the sale and consumption of wine, beer, and alcohol where Condition 3 currently only permits the sale of wine is approved with conditions.

**Section 4. Conditions of Approval.**

1. All conditions and requirements contained in Resolution 06-378Z shall remain in full force and effect, except as herein modified. The Smoking Club shall be permitted to sell and consumer beer, wine, and alcohol, shall be operated solely as an accessory use to the cigar store, and if the cigar store use is terminated, the smoking club use will automatically expire.

2. The Applicant shall record the Resolution in the Official Records of Miami-Dade County, Florida and shall return the original recorded Resolution to the Town Clerk before the Town Council grants approval of the alcoholic beverage license.

**Section 5. Effective Date.**

This Resolution shall become effective immediately upon its adoption.

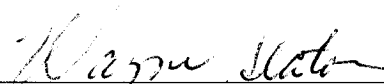
**Section 6. Appeal.**

In accordance with Division 3.10 of the Town LDC, the Applicant, or any aggrieved property owner in the area, may appeal the decision of the Town Council by filing of a notice of appeal in accordance with the Florida Rules of Appellate Procedure.


The foregoing Resolution was moved by MARY COLLINS and Seconded by NANCY SIMON, and upon being put to a vote the motion carried 6-0 with each Council Member voting as follows:

Mayor Wayne Slaton	<u>yes</u>
Vice Mayor Roberto Alonso	<u>absent</u>
Councilmember Mary Collins	<u>yes</u>
Councilmember Robert Meador	<u>yes</u>
Councilmember Michael Pizzi	<u>yes</u>
Councilmember Nancy Simon	<u>yes</u>
Councilmember Peter Thomson	<u>yes</u>

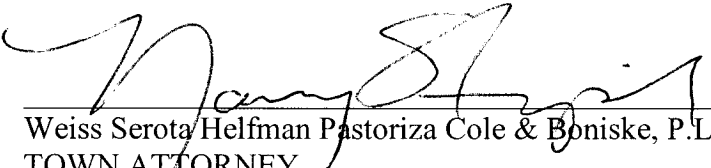
PASSED AND ADOPTED this 16 day of Oct. 2007.

  
\_\_\_\_\_  
Wayne Slaton  
MAYOR

ATTEST:

  
\_\_\_\_\_  
Debra Eastman  
TOWN CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY  
FOR USE ONLY BY THE TOWN OF MIAMI LAKES:

  
\_\_\_\_\_  
Weiss Serota Helfman Pastoriza Cole & Boniske, P.L.  
TOWN ATTORNEY



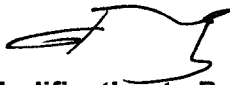
# EXHIBIT A

## TOWN OF MIAMI LAKES

### MEMORANDUM

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**To:** Honorable Mayor and Town Council

**From:** Alex Rey, Town Manager 

**Subject:** Public Hearing #ZH-07-26 for Modification to Previous  
Town of Miami Lakes Resolution No. 06-378Z  
Havana Group Cigars, Inc.  
15402 N. W. 77th Court  
Miami Lakes, FL 33016

**Date:** October 16, 2007

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#### Request:

The applicant, Havana Group Cigars, Inc., requests the following Modification or Elimination of Conditions or Covenants of previously approved Town of Miami Lakes Resolution No. 06-378Z to permit the applicant to obtain approval for a revised conditional use approval only as applied to the subject property as follows for Condition #3:

From: "3. That the Smoking Club use permitted to sell and consume wine be operated solely as an accessory use to the cigar store, and if the cigar store use is terminated, the smoking club use will automatically expire."

To: "3. That the Smoking Club use permitted to sell and consume beer, wine, and alcohol be operated solely as an accessory use to the cigar store, and if the cigar store use is terminated, the smoking club use will automatically expire."

#### Applicable Code Section:

Request #1: DIVISION 3.3                      CONDITIONAL USE APPROVAL

(a) **Generally.** The purpose of this division is to ensure that a Conditional Use, a use that would not be appropriate without restriction throughout the land use district, but which, if controlled as to number, area, location, hours of operation, and relation to the neighborhood or impacted vicinity, would promote the public health, safety, welfare, order, comfort, convenience, appearance, or prosperity of the neighborhood, shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity.

This division sets forth the procedures and criteria for approval of conditional uses on specific sites. A conditional use shall be permitted only upon a finding that the proposed use satisfies the provisions of this division and the Land Development Code.

(Attachment A: Conditional Use Criteria)

**Background:** Folio No. 32-2015-006-0010

**Zoning of Property:** BU-1A – Limited Business District

**Future Land Use Designation:** BO – Business and Office

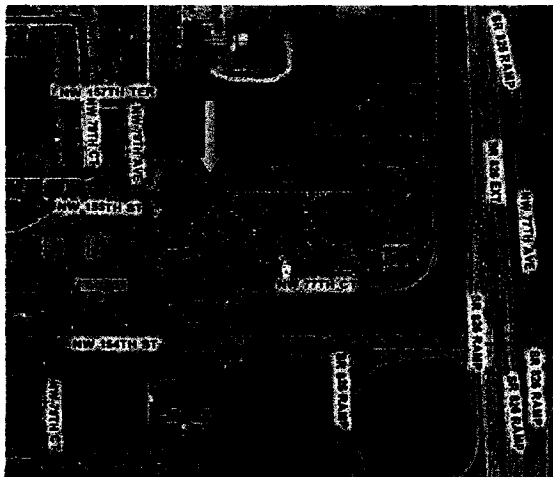
This category accommodates the full range of sales service activities including retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, public facilities, amusements and commercial recreation establishments (such as private commercial marinas).

These uses may occur in self-contained centers, high rise structures, campus parks and municipal centers business districts.

**Subject Property:**

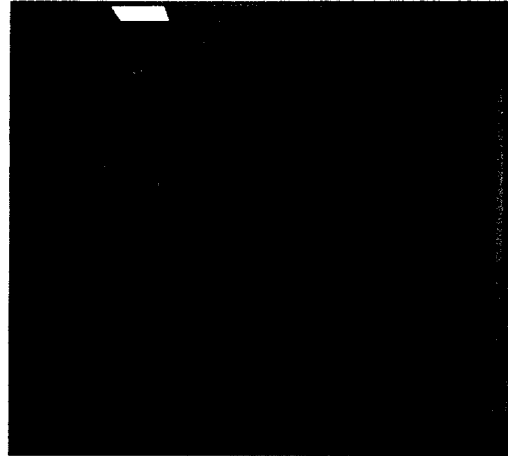
The subject property is a leased commercial establishment located within the Royal Oaks Shopping Center which is located in the West Miami Lakes area on the west side of the Palmetto Expressway, north of N.W. 154 Street, and east of N.W. 79<sup>th</sup> Avenue. The approximately 2,295 square foot leased space is situated between a Winn Dixie supermarket and a GNC Vitamin Shop within the 13.5 acre shopping center which was constructed in 1987 per the Miami Dade County Property Appraiser records.

**Subject Property Location Map:**



## **Open Permits / Violations:**

There are no open permits or violations on the subject property.



## **Conditional Use Criteria:**

**Please note:** The Town's conditional Use standards at Division 3.3 of the Town Code shall be applied to determine if the proposed alcoholic beverage establishment request to modify Res. No. 06-378Z as it applies to Condition #3 should be approved by the Council. The request would allow the Smoking Club use permitted to sell and consume wine to also be allowed to sell and consume beer and alcohol if approved by the Council.

(Attachment A: Conditional Use Criteria)

## **Compliance with Conditional Use Criteria:**

A conditional use shall be permitted upon a finding by the Town Council that the proposed use, application, and site plan comply with the criteria herein specified. A conditional use shall be denied if the Town determines that the proposed use does not demonstrate the following:

### **1. Land Use Compatibility.**

Within the shopping center where the proposed use is to be located are five restaurants and a billiard club which serve alcoholic beverages, a gas station store that sells beer, and a supermarket that sells wine. To the north of the shopping center is a hotel & public school, to the east is the Palmetto Expressway, to the west is a hotel and offices uses as well as residential development which is separated by a masonry wall, and to the south is an Office / Industrial Park which is separated from the shopping center by a canal.

The proposed Cigar Store is located on the north side of the shopping center facing away from the school property. All of the necessary buffers, parking spaces, drives and ingress and egress for this shopping center to operate with office, retail and restaurant uses were approved when the shopping center was constructed.

The proposed modification to condition #3 of Resolution No. 06-378Z will not impact the retail use including its proposed scale and intensity, traffic generating characteristics, and off-site impacts will be compatible and harmonious with adjacent land uses and will not adversely impact land use activities in the immediate vicinity.

## **2. Sufficient Site Size, Site Specifications, and Infrastructure to Accommodate the Proposed Use.**

The business requesting the modification to Resolution No. 06-378Z will be located in an existing shopping center that was approved for a combination of retail and restaurant uses and can accommodate this type of use without any modifications. The shopping center does have the required parking spaces; however, the smoking club was approved for 350 square feet for the proposed use to remain without the allowance of a parking variance.

## **3. Compliance with the Comprehensive Plan and Land Development Code. (See Attachment B: BU-1 & BU1A Uses)**

The future land use designation In the Town's Comprehensive Plan for the Subject property: BO - Business and Office and the property is zoned (BU-1A - Limited Business District.)

Surrounding Property:

North: Office/Residential and Institutional / Public Facility; (RO-50 and AU)  
East: Transportation; (Palmetto Expressway)  
South: Transportation and Industrial and Office; (IU-C)  
West: Office/Residential; (RO-50 AND RO-23)

The Business and Office land use designation accommodates the full range of sales service activities including retail, wholesale, personal and professional services, commercial and professional offices, hotels, motels, hospitals, medical buildings, nursing homes, entertainment and cultural facilities, public facilities, amusements and commercial recreation establishments (such as private commercial marinas). These uses may occur in self-contained centers, high rise structures, campus parks and municipal centers business districts.

A retail store selling Cigars and Beer, Wine and Alcohol is permitted as a conditional use in this land use category.



#### **4. Proper Use of Mitigative Techniques.**

Because the proposed business will be located in an existing commercial shopping center with many different retail and restaurant uses combined with the minimal size of the Cigar Store, staff does not believe that there will be any adverse impacts on adjacent land uses. Therefore, other than the subject condition of approval that the Smoking Club use permitted to sell beer, wine and alcohol be operated solely as an accessory use to the cigar store, and that if the cigar store use is terminated, the smoking club use will automatically expire, and that the existing condition as per Res. 06-378Z that the operating hours for the Smoking Club not extend beyond those for the Cigar Store; there shall be no need for additional mitigative techniques. (See Attachment C for Res. 06-378Z)

#### **5. Hazardous Waste.**

The proposed retail Cigar Store and Smoking Club is not anticipated to use any hazardous materials and therefore will not produce any hazardous wastes.

#### **Proposal:**

The applicant seeks to modify the previously approved Resolution No. 06-378Z which was passed on February 21, 2006. The previously approved Town of Miami Lakes resolution approved the subject property for a smoking club in conjunction with a Cigar Store in an existing 2,245 square foot commercial space. The subject request will allow the applicant to modify Resolution No. 06-378Z as it applies to Condition #3 to permit the Smoking Club use permitted to sell and consume wine to also be allowed to sell and consume beer and alcohol.

#### **Analysis:**

The modification to the previously approved condition #3 as per Resolution No. 06-378Z, if approved is consistent with the Comprehensive Development Plan and does not create any impact on the levels of service (LOS) standards.

This application seeks to permit the smoking club in conjunction with the existing retail cigar store as permitted within the BU-A1 Limited Business District which was previously approved to sell and consume wine to also be allowed to sell and consume beer and alcohol.

The proposed Conditional Use for a smoking club, within the cigar store permitted to sell beer, wine and alcohol (Liquor) will be located in the northern portion of the subject shopping center, adjacent to the GNC store. There are nine existing alcoholic beverage uses within the shopping center. The following alcoholic uses are currently permitted Shell Gas Station (Beer), Cancun Grill (Liquor), House of Sun (Wine), Winn Dixie (Beer & Wine), Lakes Seafood (Beer & Wine), Bottles Fine Wines & Spirits (Liquor), Outback Steak House (Liquor), Orchid Siam (Wine), and The Billiard Club (Liquor).

The smoking club in conjunction and internal to the subject property with “on the premises” sale and consumption of beer, wine and alcohol will be complimentary to the restaurants located in this shopping center, and the cigar store provides additional service to the community. In relation to the surrounding area and the compatibility of said use with the area and its development, staff is of the opinion that the proposed use to sell beer, wine, and alcohol will not have an unfavorable effect on same and will not be contrary to the public interest.

Numerous alcoholic beverage uses exist in the vicinity of the subject property. The retail cigar store in conjunction with the aforementioned smoking club will not be out of character with the area, and therefore, will not cause any adverse impacts to the surrounding area, which is primarily commercial in nature, nor to the existing religious or school facilities.

Specifically, staff supports the request to modify condition #3 of Resolution No. 06-278Z, passed and adopted on the 21<sup>st</sup> day of February, 2006. The modification to Condition #3 would provide for approval of the smoking club to sell beer, wine, and alcohol. Accordingly, staff recommends approval with conditions of the subject application

**Recommendation:** Approval with Conditions

**Conditions:**

1. All conditions and requirements of Resolution No. 06-378Z shall remain in full force and effect, except as herein modified. The smoking club use permitted to sell and consume beer, wine, and alcohol shall be operated solely as an accessory use to the cigar store, and if the cigar store use is terminated, the smoking club use will automatically expire.
2. The applicant shall record the Resolution in the Official Records of Miami-Dade County, Florida and shall return a copy of the recorded Resolution to the Town Clerk before the Town grants approval of the alcoholic beverage license.

**AR:MIC**

**ATTACHMENT A: CONDITIONAL USE CRITERIA**  
DIVISION 3.3      CONDITIONAL USE APPROVAL

(a) **Generally.** The purpose of this division is to ensure that a Conditional Use, a use that would not be appropriate without restriction throughout the land use district, but which, if controlled as to number, area, location, hours of operation, and relation to the neighborhood or impacted vicinity, would promote the public health, safety, welfare, order, comfort, convenience, appearance, or prosperity of the neighborhood, shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity. This division sets forth the procedures and criteria for approval of conditional uses on specific sites. A conditional use shall be permitted only upon a finding that the proposed use satisfies the provisions of this division and the Land Development Code.

(b) **Review Procedures.**

1. Application and Administrative Official Review. The application for a conditional use shall follow the submittal requirements in Section 3.4 for Site Plan review applications requiring approval by the Town Council and as supplemented by this division. A mandatory pre-application and site plan approval is required. An application for a conditional use shall describe how the specific land use proposed meets the criteria described below, and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity. In addition, the application shall clearly describe:

- a. Scale and intensity of the proposed conditional use as measured by the following:
  - i. Floor area ratio and impervious surface ratio;
  - ii. Traffic generation;
  - iii. Square feet of enclosed building for each specific use;
  - iv. Proposed employment;
  - v. Proposed number and type of service vehicles; and
  - vi. Off-street parking needs.
  
- b. On- or off-site improvement needs generated by the proposed conditional use and not identified on the preceding list to include the following:
  - i. Utilities;
  - ii. Accessory structures or facilities;
  - iii. Roadway or signalization improvements, or other similar improvements;
  - iv. Public facility improvements required to ensure compliance with concurrency management provisions provided in the Code; and
  - v. Other unique facilities or structures proposed as part of site improvements.

- c. On-site amenities proposed to enhance site and planned improvements. Amenities may include mitigative techniques such as:
  - i. Open space;
  - ii. Setbacks from adjacent properties;
  - iii. Screening and buffers;
  - iv. Landscaped berms to mitigate against adverse impacts to adjacent sites; and
  - v. Mitigative techniques to abate smoke, odor, noise, and other noxious impacts.

2. Action by Town Council. Upon receipt of the Administrative Official's report and recommendations, and concurrent with its consideration of the site plan, the Town Council shall schedule a public hearing pursuant to Division 3.9 of this Land Development Code. The Town Council may continue a hearing for up to one month, if necessary, in order to gather additional information. No conditional use shall be acted upon until the required public hearing has been held with required notice. The Town Council shall conduct a quasi-judicial hearing pursuant to the Town Code of Ordinances, and shall issue a Resolution approving, approving with conditions, or denying the conditional use. The Resolution shall contain a written record of findings and any conditions of approval.

**(c) Specific Criteria for Approving a Conditional Use.**

A conditional use shall be permitted upon a finding by the Town Council that the proposed use, application, and site plan comply with the criteria herein specified. A conditional use shall be denied if the Town determines that the proposed use does not meet the criteria herein provided or is adverse to the public interest. The applicant shall demonstrate the following:

- 1. Land Use Compatibility. The conditional use, including its proposed scale and intensity, traffic generating characteristics, and off-site impacts shall be compatible and harmonious with adjacent land uses and shall not adversely impact land use activities in the immediate vicinity. Compatibility is defined as a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use condition is unduly negatively impacted directly or indirectly by another use or condition. Compatibility of land uses is dependent on numerous development characteristics which may impact adjacent or surrounding uses. They include: type of use, density, intensity, height, general appearance and aesthetics, odors, noise, smoke, vibration, traffic generation and nuisances. Compatibility shall be measured based on the following characteristics of the proposed use or development in relationship to surrounding development in the immediate area:
  - 1. Permitted uses, structures and activities allowed within the land use category.
  - 2. Building location, dimensions, height, and floor area ratio.

3. Location and extent of parking, access drives and service areas.
  4. Traffic generation, hours of operation, noise levels and Outdoor lighting.
  5. Alteration of light and air.
  6. Setbacks and buffers such as fences, walls, landscaping and Open space treatment.
2. Sufficient Site Size, Site Specifications, and Infrastructure to Accommodate the Proposed Use. The size and shape of the site, the proposed access and internal circulation, and the urban design must be adequate to accommodate the proposed scale and intensity of conditional use requested. The site shall be of sufficient size to provide adequate screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
  3. Compliance with the Comprehensive Plan and Land Development Code. The conditional use and site plan shall comply with environmental, zoning, concurrency and other applicable regulations of this Land Development Code, and shall be consistent with the Comprehensive Plan.
  4. Proper Use of Mitigative Techniques. The conditional use and site plan shall incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
  5. Hazardous Waste. No conditional use which generates hazardous waste or uses hazardous materials shall be located in the Town unless the specific location is consistent with the Comprehensive Plan, Land Development Code, and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources, as may be applicable now or in the future. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation unless the Town Council approves conditions requiring mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material, and regulate its use, storage and transfer consistent with best management principles and practices.

## ATTACHMENT B: BU-1A Sec. 33-247 USES PERMITTED

No land, body of water and/or structure shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, reconstructed, moved, maintained or occupied for any purpose in any BU-1A District, except for one (1) or more of the following uses:

- (1) All uses permitted in the BU-1 and BU-1A Districts except that residential uses are subject to approval at a public hearing.

**Uses in the BU-1 include:** Antique shops, Apparel stores selling new and/or used merchandise, Art good stores, artist studios and photograph shops and galleries, Banks, excluding drive-in teller service, Beauty parlors, Bakeries, retail only (baking permitted on premises), Barber shops, Bicycle sales, rentals and repairs (nonmotorized), Confectionery, ice cream stores and dairy stores, Conservatories and music and dance schools, provided no such establishment is located within five hundred (500) feet of any RU, or EU District except after approval after public hearing, Dairy stores, Drugstores, Donated goods centers for the acceptance only of new or used merchandise, Florist shops, Grocery stores, fruit stores, health food stores, delicatessen, meat and fish markets and other similar food stores, provided such establishments contain not more than four thousand (4,000) square feet of floor area, Hardware stores, Information booth, gate house and security station, Interior design shops, office and display only, Jewelry stores, including incidental sales and purchases of used jewelry, Leather goods and luggage shops, Mail order offices, without storage of products sold, Museum, Newsstand, Office buildings, Optical stores, Paint and wallpaper stores, Photograph galleries, Pottery shops, Restaurants and coffee houses, Religious facilities located inside the Urban Development Boundary. Religious facilities outside the Urban Development Boundary will be permitted only upon approval after public hearing, Schools, Self-service post office which contains mechanical or computer equipment designed to provide limited postal service for walk-up trade, Shoe stores and shoe repair shops, Sporting goods stores, Tailor shops, provided such establishments contain not more than four thousand (4,000) square feet of floor area, Tobacco shops, Variety stores, provided such establishments contain not more than four thousand (4,000) square feet of floor area, Any property in a BU District may be used as access for egress and ingress only to property zoned in any BU classification or in any IU classification provided that both properties are under the same ownership, Outside walk-up window service (no outside stools, chairs or tables), in connection with establishments where the principal use is selling food and drink products, and where a sidewalk of at least seven (7) feet in width abuts the store unit concerned.

**Uses in the BU-1A include:** Amusement center, Auditoriums, Automobile new parts and equipment, sales only, Automobile and light truck, new sales agency or rental, Automobile service stations, Automobile self-service gas stations, Automobile storage within a building, Automobile tires, batteries and accessories (new) retail only installation permitted, Automobile washing, Bait and tackle shops, Banks, including drive-in teller service, Billiard rooms and pool rooms, Boats carrying passengers on excursion, sightseeing, pleasure or fishing trips, Bowling alleys, Convention halls, Dancing halls or dancing academies in air conditioned buildings providing no intoxicating beverages of any kind are served, providing that such establishments are not located closer than five hundred (500) feet to an RU, or EU District, unless such building is so constructed as to prevent the emission of sound and vibration, Dog and pet hospitals in air-conditioned buildings, Dry cleaning establishments, using nonflammable solvents in self-contained dry cleaning units of the Prosperity type or Dedrick type or an equal approved by the Director, provided such establishments contain not more than four thousand (4,000) square feet of floor area, Electrical appliance and fixtures stores including related repair shops, Employment agencies, Furniture stores, retail of new merchandise only, Grocery stores, Handcrafted-products shop, Health and exercise clubs, including bath and massage parlors, Junior department stores, Lawn mowers, retail, sales and service, Mortuaries or funeral homes, Motorcycles sales and repair, Natatoriums, Open-air theaters, Package stores in shopping centers provided the shopping center is in full compliance with all provisions of Section 33-150(E)(9) of this Code, Pet shops and dog beauty parlors in air-conditioned buildings, Post office stations and branches, operated by postal service employees or agents, which directly serve the public, Printing shops, Private clubs, Propagating and growing plants for sale. Fertilizers, manure, compost and soil shall be limited for sale. Fertilizers, manure, compost and soil shall be limited in quantities for immediate use and shall be kept at least two hundred (200) feet from residential buildings in RU and EU Districts, Pubs and bars if approved at public hearing, Restaurants, Self-service storage facility, Skating rinks, provided same are not located closer than five hundred (500) feet to an RU or EU District, unless such building is so constructed as to prevent the emission of sound and vibration, Supermarkets, Tailor shops, Telegraph stations, Telephone exchange, Theaters for live stage production and motion pictures, Variety stores, Rentals of trucks other than light trucks are allowed in conjunction with and ancillary to self-storage facilities (2) Automobile parking garages, not over six (6) stories in height, shall be permitted provided they are not located closer than two hundred (200) feet to an RU-1, RU-2, RU-TH or EU District or to a hospital, church or building used for public assemblage. Automobile parking garages shall meet all open space, lot coverage and other applicable requirements of this article. Liquor package stores. Major department stores. Marinas for the following purposes only: Commercial boat piers or slips for docking purposes; yacht or boat storage, for laying up, but not for repairs or overhaul; and boats carrying passengers on excursion, sightseeing, pleasure or fishing trips. Night clubs located no closer than five hundred (500) feet of any RU or EU District, if approved at a public hearing. Office parks. Pubs and bars.