



City of Hallandale Beach Planning and Zoning Agenda Cover Memo

Meeting Date:	June 25, 2014	Item Type: <i>(Enter X in box)</i>	Resolution	Ordinance	Other
Applicant:	Gulfstream Park Racing Association, Inc.	Public Hearing: <i>(Enter X in box)</i>		Yes X	No
Application Number :	117-14-TC	Advertising Requirement: <i>(Enter X in box)</i>		Yes X	No
Project Name :	PLAC (Planned Local Activity Center) Text Code amendment	Strategic Plan Priority Area: <i>(Enter X in box)</i>			
		Cohesive Visual Appeal <input type="checkbox"/> Civil & Respectful Government <input type="checkbox"/> Create Local Jobs <input checked="" type="checkbox"/> Economic Development <input checked="" type="checkbox"/> Improve City Infrastructures <input type="checkbox"/> Improve Safety, Security & Comfort of Residents <input type="checkbox"/> Operational Excellence <input type="checkbox"/> Quality of Life <input type="checkbox"/> Vibrant Destination <input checked="" type="checkbox"/>			
Sponsor Name:	<i>Althea Jefferson, AICP, Planning & Zoning Manager</i>	Prepared by:	<i>Christy Dominguez, Principal Planner</i>		

SHORT TITLE:

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, OF THE ZONING AND LAND DEVELOPMENT CODE, ARTICLE III SECTION 32-179 PLAC, PLANNED LOCAL ACTIVITY CENTER DISTRICT, RELATIVE TO ADDING SIMULCASTING SCREENS AND PARI-MUTUEL WAGERING MACHINES TO THE PERMITTED USES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

Background

Gulfstream Park Racing Association, Inc. has filed the subject Application #117-14-TC requesting the City's Zoning and Land Development Code be amended to allow the installation of simulcasting and pari-mutuel wagering machines within certain establishments within the Village at Gulfstream Park (VGP).

In January 2014, the City Commission approved the Amended and Restated Development Agreement for the VGP which acknowledges that the Developer would be initiating an amendment to the Planned Local Activity Center (PLAC) District regulations to permit pari-mutuel wagering upon approval of the Amended Development Agreement.

Why Action is Necessary

Pursuant to Article V, Section 5.01 of the City of Hallandale Beach Charter, a City Ordinance must be adopted by the City Commission to amend an existing Ordinance.

Current Situation

PLAC District specifically prohibits “simulcasting slot gaming facilities, casinos, pari-mutuel facilities and related wagering systems”. Therefore, as the Village at Gulfstream Park is zoned PLAC, such uses are presently not permitted by Code. In the recent past, Gulfstream Park has expressed a desire to include simulcasting wagering systems in the VGP and was advised by staff that a Text Code amendment would be required in order to allow the use. They now have filed the subject application for Planning and Zoning Board consideration and City Commission approval, to amend the code to allow the installation of simulcasting and pari-mutuel wagering machines within certain establishments in the VGP. According to the applicant, the request is being made in order to create and enhance the synergy between the thoroughbred racing operations and certain entertainment venues within the VGP. The request is limited so that such uses are permitted as accessory in facilities that are licensed to sale alcoholic beverages.

Analysis

Article III, Section 32-179 (d) PLAC District sets forth the permitted, accessory and prohibited uses in the district. Section 32-179 (d)(1) specifies the currently permitted and prohibited uses as follows:

Permitted uses. Uses consistent with or customary to mixed-use urban centers including but not limited to multi-family residential, office, retail and commercial uses including cinemas, nightclubs, cafe/restaurants, hotels, accessory parking, and certain commercial recreation uses. The following commercial recreation uses shall not be permitted: simulcasting, slot gaming facilities, casinos, pari-mutuel facilities and related wagering systems.

The attached proposed ordinance, drafted per the applicant’s request, amends the second sentence of Section 32-179 (d)(1) as noted at lines 41 through 44 of the ordinance to read as follows:

The following commercial recreation uses shall not be permitted: ~~simulcasting, slot gaming facilities, casinos, pari-mutuel facilities and related wagering systems.~~ as accessory uses in facilities that are licensed to serve alcoholic beverages: simulcasting screens and pari-mutuel wagering machines.

As proposed, the amendment will allow pari-mutuel simulcasting and related wagering systems in the VGP as requested by the applicant.

Section 32-179(d) (2) also references accessory and prohibited uses as noted below:

Accessory uses include uses customarily accessory to the principal permitted use but not including any of the uses listed as prohibited.

Although the applicant states the request is to allow simulcasting wagering in the VGP, their proposed amendment deletes slot machines and casinos as prohibited uses from Section 32-179 (d)(1). The proposed language should be amended to prohibit such uses in the VGP.

Staff Recommendations

PLAC District is a unique zoning district that seeks to promote development that balances a mix of land uses that includes residential, retail, office, recreation, entertainment, and associated employment opportunities in an urban center.

The proposed amendment to the Zoning and Land Development Code will allow Gulfstream Park to install simulcasting screens and wagering machines as an accessory use in facilities licensed to serve beer, wine and liquor within the PLAC/Village at Gulfstream Park in establishments including but not limited to: The Yardhouse, Prime Bar, Cantina Laredo, Martini Bar, Three Forks, Club Fate and the proposed Adena Foods, presently under construction.

Staff has no objections to the proposed code amendment and recommends approval of the application provided the following language is added at the end of the sentence at line 44 of the draft ordinance: *“Slot machines and casinos are prohibited.”* This language will assure such uses will continue to be prohibited within the VGP.

Staff will seek acknowledgement from the applicant that for the purposes of this amendment “in facilities” means on the interior of establishments and not in the outdoor serving areas of such facilities. As an alternative to such an interpretation of “in facilities”, staff suggests that it will work with the applicant to develop a set of regulations to proceed concurrently with the Code amendment.

PROPOSED ACTION:

Staff recommends the Planning and Zoning Board **recommend approval** of Application #117-14-TC, subject to the draft ordinance being amended to add the statement *“Slot machines and casinos are prohibited.”* to Section 32-179(d)(1) at the end of the sentence at line 44.

ATTACHMENT(S):

- Exhibit 1- Proposed Ordinance
- Exhibit 2- Applicant’s Letter
- Exhibit 3- PLAC District Boundaries