



**Hallandale Beach**  
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**City of Hallandale Beach City  
Planning and Zoning Board Agenda Cover Memo**

<b>Applicant :</b>	Adena Foods 2013, LP	<b>Meeting Date:</b>	June 25, 2014				
<b>Project Name:</b>	Adena Foods	<b>Project Address:</b>	900 Silks Run				
<b>Application #:</b>	# 123-14-CL	<b>Application Type:</b>	Nightclub License				
<b>Planning District:</b>	Gulfstream	<b>Quasi Judicial:</b> <i>(Enter X in box)</i>	<table border="1"> <tr> <td><b>YES</b></td> <td><b>NO</b></td> </tr> <tr> <td align="center">X</td> <td></td> </tr> </table>	<b>YES</b>	<b>NO</b>	X	
<b>YES</b>	<b>NO</b>						
X							
<b>Parcel Size:</b>	Village at Gulfstream Park LAC is 60.8 acres of the total 200 acres of Gulfstream Park in Hallandale Beach and 53.68 acres in Aventura	<b>Public Hearing:</b> <i>(Enter X in box)</i>	<table border="1"> <tr> <td><b>YES</b></td> <td><b>NO</b></td> </tr> <tr> <td align="center">X</td> <td></td> </tr> </table>	<b>YES</b>	<b>NO</b>	X	
<b>YES</b>	<b>NO</b>						
X							
<b>Existing Zoning :</b>	Planned Local Activity Center (PLAC) District						
<b>Existing Use:</b>	Vacant tenant space under construction in Building 1700 of the Village at Gulfstream Park for Adena Foods.						
<b>Proposed Use:</b>	New restaurant, Adena Foods, in Building 1700 with an alcoholic beverage license (4 COP) to sell beer, wine, and liquor for consumption on the premises until 6:00 A.M.						
<b>Comprehensive Plan Future Land Use Designation:</b>	Local Activity Center (LAC)	<b>Surrounding Land Use:</b>	<p>N: Gulfstream Promenade/ General Commercial  S: Vacant (Gulfstream ownership in Aventura)  E: Gulfstream Park Racing and Casino  W: Federal Highway/Commercial/City Hall/ Library/Post Office</p>				
<b>Surrounding Zoning:</b>		<b>Strategic Plan Priority Area:</b>	<p>Strategic Plan Priority Area: <i>(Enter X in box)</i></p> <p>Cohesive Visual Appeal <input checked="" type="checkbox"/>  Civil &amp; 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 &amp; Comfort of Residents <input type="checkbox"/>  Operational Excellence <input type="checkbox"/>  Quality of Life <input checked="" type="checkbox"/>  Vibrant Destination <input checked="" type="checkbox"/></p>				
<b>Sponsor Name:</b>	Althea Jefferson, AICP, Planning Manager	<b>Prepared By:</b>	Christy Dominguez, Principal Planner				

## REQUEST

The Applicant, Adena Foods 2013 LP, is requesting the Planning and Zoning Board consider and recommend approval of the subject application #123-14-CL for a Nightclub License pursuant to Section 5-9 of the City's Code of Ordinances in order to serve alcoholic beverages seven days a week until 6:00 A.M. at the proposed Adena Foods located at 900 Silks Run, Building 1700 in the Village at Gulfstream Park.

## STAFF SUMMARY

### **Background**

The Major Development for Phase 1 of the Village at Gulfstream Park (VGP), Land Use Plan Amendment to Local Activity Center (LAC), rezoning to Planned Local Activity Center (PLAC) District, the Development Agreement and the Development Order for the Village at Gulfstream Park were approved on November 6, 2006.

The proposed restaurant/bar will be located in existing Building 1700, previously partially occupied by Adrenalina, a sports clothing store that closed in 2012.

### **Why Action is Necessary**

Pursuant to Section 5-9, of the Hallandale Beach Code of Ordinances, Planning and Zoning Board recommendation and City Commission approval is required for Nightclub License applications to serve alcoholic beverages in the City after 2:00 A.M.

### **Analysis**

#### **Interdepartmental Review**

1. The Fire Department has no objection to the closing time of 6:00 A.M., as this will not change the occupancy or the maximum capacity of the business.
2. The Police Department had no objections to the closing time being until 6:00 A.M. (See attached memorandum from Chief of Police, Dwayne Flournoy dated June 3, 2014).
3. The Building Division commented a building permit has been issued for interior renovations to Building 1700 for Adena Foods and construction is presently in progress. No final Certificate of Occupancy has been issued at this time. Please refer to the attached site plan for the location of the proposed establishment within the VGP.

#### **Applicable Codes and Ordinances**

1. The Village at Gulfstream Park Local Activity Center is an area zoned as a dense, urban,

mixed use development with an interdependent live/work/ entertainment environment. Restaurants and nightclubs are permitted uses within the PLAC zoning of the property.

2. Adena Foods is a new restaurant/sports bar and wine bar undergoing tenant improvements in Building 1700 at the Village at Gulfstream Park (VGP). The establishment will have a total of 21,301 square feet in floor area and a 1,296 square feet outdoor patio area. Three (3) distinct dining areas are proposed with individual entrances as follows: a sports bar with 461 seats and 87 seats in the patio; the main restaurant with 497 seats; and a wine bar with 93 seats for a total maximum occupancy of 1,138 persons.
3. The property is zoned PLAC District. Pursuant to Section 32-179(f) (3), shared parking is encouraged in PLAC District, thus, required parking is based on a parking study acceptable to the City.

The Parking Study for Gulfstream Park was recently updated in April 2014 for the Gulfstream Park Tower Major Development application, a 182 unit residential building proposed within the VGP presently being processed by the City. The required parking per the Study for the combined Gulfstream Park racetrack and casino operations, the existing commercial development and the proposed residential building is 4,855 spaces. There are 5,231 parking spaces available on site. Therefore, there is a surplus of 376 spaces after development of the tower.

4. The applicant proposes to serve alcoholic beverages on the premises until 6:00 A.M. The sale of alcoholic beverages in the City is not permitted after 2:00 A.M. unless a Nightclub License for a later closing time is approved by the City Commission.
5. According to the Hallandale Beach Code of Ordinances, Chapter 5, Section 5-9, nightclub licenses are not transferable and are granted at the City Commission's discretion to the operator of an establishment which serves alcoholic beverages after 2:00 A.M.
6. Chapter 5, Section 5-9, requires applications for nightclub licenses to be placed on the Planning and Zoning Board and City Commission agendas for consideration and Commission approval.

#### Review of Application Criteria

Section 5-9 Nightclub Licenses, Issuance and Renewal, sets forth the following criteria for Planning and Zoning Board recommendations and for City Commission considerations in making decisions on Nightclub Licenses:

- (1) The amount of off-street parking in relation to the demands created by the extra hours of operation, especially with regard to any spill-over effect creating illegal or hazardous parking or parking in adjacent residential areas.

*The subject property has 5,231 parking spaces. The current parking required for Gulfstream racetrack, casino and VGP is 4,452 parking spaces. A total of 4,855 spaces will be required with the development of Gulfstream Park Tower, resulting in surplus parking, even after the residential building is built. Therefore, there should be no spill-over effect leading to illegal or hazardous parking or parking in adjacent residential areas as a result of the extended hours of operation.*

- (2) The amount and degree of law enforcement activities generated by the extra hours of operation, both inside and outside the particular location, with particular reference to noise, vehicular use by patrons, and illegal activity of any kind of employees, patrons or others associated with the establishment, during or within one hour after the extended hours of operation.

*Per the attached memorandum from Chief of Police, Dwayne Flournoy, law enforcement has no concerns with the issuance of the requested license. Also, Gulfstream hires and maintains two off-duty police officers seven days a week on the property during limited hours.*

- (3) The adverse effects, if any, that the extended hours of operation will have on neighboring properties, especially with respect to the effects of noise, parking, and glare from headlights or exterior lighting, on nearby residential properties.

*Adena Foods is a new establishment that has not yet opened, thus, there is no historical record of police service calls. Per the Police Department, extended hours of the proposed restaurant should not increase the potential of service calls or affect neighboring properties. In addition, there is an agreement between the Police Department and Gulfstream to provide Police services. As such, it is anticipated there will be adequate police presence as may be applicable at the subject property.*

In accordance with Section 5-9(b), the City Commission may require, as a condition of the privilege of extended hours of operation, compliance with any reasonable conditions deemed by the Commission to be necessary to mitigate or eliminate the adverse effects of that operation. These conditions may include, without being limited to, provision by the owner or operator of the licensee, at his expense, of additional off-street parking, security personnel, and screening and buffering from nearby properties.

Furthermore, according to Section 5-9(c), the granting of extended hours of operation is a privilege subject to modification or termination by the City Commission each year at renewal time, and no person may reasonably rely on the continuation of that privilege. Further, pursuant to Section 5-9(e), the license may be revoked at any time if the licensee either violates a condition of renewal or is operating in a harmful manner to the public health, safety or welfare.

### **Staff Recommendations**

The Police and Fire Departments had no objections to the issuance of the requested 6:00 A.M. license. No adverse effects to neighboring properties are anticipated as a result of the extended hours of operation. In addition, sufficient parking is available at the site. Also, as mentioned

above, the license may be revoked at any time if there are adverse effects resulting from the operation. As a result, staff has no objections to the approval of a Nightclub License for Adena Foods in order to serve alcoholic beverages seven days a week until 6:00 A.M.

**PROPOSED ACTION:**

Staff recommends the Planning and Zoning Board **recommend approval** to the City Commission of Application #123-14-CL, for a Nightclub License with 6:00 A.M. closing for Adena Foods.

**ATTACHMENT(S):**

- Exhibit 1- Aerial Map
- Exhibit 2- Location Map
- Exhibit 3- Applicant's Letter and Backup Information
- Exhibit 4- Survey/Site Plan
- Exhibit 5 – Memorandum from Chief of Police dated June 3, 2014