



City of Hallandale Beach

Planning and Zoning Board Agenda Cover Memo

Applicant:	Amir Boctor Ambrosia Café	Meeting Date:	August 25, 2021	
Project Name:	Ambrosia Café	Property Address:	411 West Hallandale Beach Blvd	
Application#:	CL-21-00246	Application Type:	Nightclub License	
Planning District:	Southwest	Quasi-Judicial: (Enter X in box)	YES X	NO
Parcel Size:	.60 acre	Public Hearing: (Enter X in box)	YES X	NO
Existing Zoning:	Hallandale Beach Boulevard (HBB) West			
Existing Use:	Hookah Lounge within commercial plaza			
Proposed Use:	Hookah Lounge- Nightclub – 6A.M. closing			
Comprehensive Plan Future Land Use Designation:	Commercial, General			
Surrounding Zoning:		Surrounding Existing Land Use:		
North: HBB-W South: HBB-W East: HBB-W West: HBB-W		North: Vacant Lot and Commercial uses South: Broward County School East: Vacant Lot and Commercial uses West: Commercial (Walgreens)		
Staff Recommendation:		Strategic Plan Priority Area:		
<input type="checkbox"/> Approve <input checked="" type="checkbox"/> Approve with Conditions <input type="checkbox"/> Deny		<input type="checkbox"/> Safety <input type="checkbox"/> Quality <input checked="" type="checkbox"/> Vibrant Appeal		
Sponsor Name:	Vanessa Leroy, Director, Development Services	Prepared By:	Christy Dominguez Planning and Zoning Manager	

REQUEST

The Applicant, Amir Bactor, is requesting a Nightclub License pursuant to Section 5-9 of the City's Code of Ordinances in order to conduct business as a nightclub and serve alcohol beverages 7 days a week until 6 A.M. at the Ambrosia Café and Hookah Lounge. The establishment is located in a commercial center in the Hallandale Beach Boulevard West (HBB-W) Zoning District at 411 W. Hallandale Beach Boulevard.

STAFF SUMMARY

Summary

Amir Bactor proposes to conduct business as a nightclub operating until 6 A.M. at the Ambrosia Café and Hookah Lounge located at 411 W. Hallandale Beach Boulevard within the HBB-West Zoning District.

Background

On January 30th, 2019, the applicant was granted an Alcohol Beverage Waiver from Section 5-6(d) of the Hallandale Beach City Code regarding the minimum distance separation of establishment serving alcohol beverages for consumption on premises due to its proximity to the Gulfstream Early Learning Center School to the south.

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 Building and Code Compliance Divisions had no objections to the extended hours.
2. The Fire Department had no objections to the closing time of 6:00 A.M. as this will not change the occupancy or the maximum capacity of the business.
3. The Police Department had no objections to the closing time being until 6:00 A.M. they commented that the establishment has security guards on-site. They commented that if problems and safety concerns develop in the future, the establishment would hire off-duty detail as determined by the Chief of Police. (See attached Exhibit 5).

Applicable Codes and Ordinances

1. The HBB-W District is intended to guide the redevelopment of land located adjacent to Hallandale Beach Boulevard within the boundaries of the General Commercial land use category of the Comprehensive Plan's Future Land Use Map into a vibrant area that:
 - (a) Provides an attractive entryway into the City of Hallandale Beach;
 - (b) Provides a mix of uses within a pedestrian-friendly environment to meet the daily needs of workers, residents, and visitors;
 - (c) Promotes the optimum use of transit by creating and enhancing a continuous, pedestrian- and bicycle-friendly corridor that effectively links transit stations, bike routes, sidewalks, buildings, and open spaces;
 - (d) Encourages investment by accommodating new development at a range of scales including individual infill buildings and large redevelopment projects; and
 - (e) Protects adjoining single-family residential areas by ensuring compatible transitions in building scale.
2. The Hallandale Beach Boulevard Zoning District is divided into two sub districts East and West. Alcoholic Beverage Establishments in the Hallandale Beach Boulevard West District are permitted per standards in Chapter 5, Alcoholic Beverages.
3. Chapter 5 Section 5-9 of the Hallandale Beach Code of Ordinances permits Nightclub licenses: issuance and renewals subject to certain conditions. An application for a nightclub license is required to go before the Planning & Zoning Board for recommendation of approval or denial to the City Commission. The City Commission may then grant the license, deny the license, or grant the license subject to specific conditions.
4. Ambrosia Café is a hookah lounge located in a 2,000 sq. ft. bay of the shopping plaza located at 409-411 W. Hallandale Beach Boulevard directly east of the Walgreens drugstore and west of SW 4th Avenue. The shopping center is owned by 409 Hallandale Inc. and is approximately 25,173 sf in size. The Ambrosia Café opened for business on March 7, 2020, which was only 10 days prior to the COVID 19 stay at home orders.
5. Ambrosia Café currently has 7 employees and has a rated capacity of 49 patrons. The business serves beer and wine only (2COP license) and its current operating hours are from 8 pm to 2 am daily. The shopping center is zoned HBB-West District which permits the existing business per standards in Chapter 5. The business has all required licenses and there are no outstanding code violations.
6. The owner is requesting a Nightclub license to allow the business to remain open 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. There are no other changes to the business requested. The granting of a Nightclub license to allow the expanded operating hours requires approval per Section 5-9 in the HBB-West zoning district.
7. 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.

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 shopping center has a total 57 parking spaces which are generally available to serve the Ambrosia Café since most if not all of the other businesses in the shopping center are closed by the time the Ambrosia Café opens at 8 pm.

- (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.

The Ambrosia Café has 8 security cameras with recording capability that covers both entrances and the entire interior. The business employs one security guard 5 days a week and two security guards on Fridays and Saturdays. Additionally, the Chief of Police has reviewed the application and has no objections to the request as commented under Interdepartmental Review.

- (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.

The extended hours for the Ambrosia Café will have no impact on café's compatibility with the neighborhood. The Ambrosia Café does not generate excessive noise or disruption of any type as evidenced by the operation of the existing business. All business is conducted indoors.

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 RECOMMENDATION

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 Ambrosia Cafe in order to serve alcoholic beverages seven days a week until 6:00 A.M. subject to the following condition:

- 1. The applicant shall be required to hire off-duty detail police officers in the event of any safety concerns as determined by the Chief of Police.*

PROPOSED ACTION

Staff recommends the Planning and Zoning Board **recommend approval** to the City Commission of Application #CL-21-00246 for a Nightclub License with 6:00 A.M. closing for Ambrosia Café subject to the above staff condition.

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
Exhibit 6 - Alcohol Beverage Waiver Approval #RD-19-03743