



Memorandum

Date: February 12, 2025

To: Honorable Mayor and Councilmembers

From: Zeida C. Sardiñas
City Manager

Department: Michelle M. Lopez
The Corradino Group
Interim Planning & Zoning Director

Subject: **Extended Hours Permit – Altech America, LLC
El Mani Restaurant**

Introduction

Altech America, LLC (the “Applicant”) is requesting approval from the Mayor and the City Council for an extended hours permit to remain open for business for the purposes of selling alcoholic beverages beyond 1:30 a.m. A copy of the Application is provided in “Exhibit A.”

Background

The Applicant is the operator of EL Mani Restaurant, a 4,936 square-foot restaurant, bar, and night club located at 1200 NW 88 Avenue, Unit # 112. Pursuant to the City Code of Ordinances (the “City’s Code”), EL Mani Restaurant is classified as an Entertainment Establishment for the purpose of regulating retail sale of alcoholic beverages within the city.

- Section 34-4(c)(1) of the City’s Code defines Restaurants as businesses with full kitchen facilities, which primarily serves full meals and alcoholic beverages (through a corresponding state license) for consumption on the premises. No alcoholic beverages shall be sold, served and/or consumed at the business after 1:30 a.m. (with a last call at 1:00 a.m.) or before 8:00 a.m.

- Section 34-4(c)(3) of the City's Code defines Entertainment Establishment as business primarily devoted to serving alcoholic beverages and in which the service of food and/or entertainment is secondary to the consumption of alcoholic beverages. Entertainment establishments include, without limitation, dance halls, nights clubs, adult entertainment venues, and any commercial establishment determined to meet the following factors:
 - a. If all seven of the following conditions exist and/or met, then the establishment may qualify as "an entertainment establishment":
 1. The establishment has a dance floor or other open area used by patrons for dancing or for viewing of entertainment (such dance floor or open space may be established by the removal or rearrangement of furniture or tables);
 2. The hours of operations during which the use is open to the public include time between 8:00 a.m. and 2:00 a.m., with a last call at 1:30 a.m. and closing time of 2:00 a.m.;
 3. The maximum capacity for the establishment as set by the building and fire officials through fire, building, structure, and other relevant regulatory considerations is 150 or more persons;
 4. Alcohol is sold and consumed on the premises of the establishment at any time;
 5. Advertisements for the establishment describe specific entertainment events or engagements (e.g. "House Party Saturday Night"; "DJ Saturday night"; "Live Music tonight"); or
 6. The establishment features a platform or musical staging area used in connection with performances or entertainment. The presence of karaoke machines shall not be deemed entertainment for the purpose of this subsection. The presence of live entertainment provided by one person, not utilizing pre-recorded music, incidental to a restaurant or bar shall not be deemed entertainment for the purpose of this subsection.
 7. The playing of background music, where the background music is played at a low volume and cannot be heard beyond the limits of the premises to complement the dining experience shall not be deemed entertainment.

The Applicant is requesting approval to remain open for the purpose of selling alcoholic beverages until 2:30 a.m. In accordance with Section 34-16(e)(3), an application for extended hours permit must be reviewed by the Planning and Zoning Department and Police Department prior to consideration by the Mayor and City Council. Review of the application is based upon the following criteria:

1. Compliance with applicable zoning and use requirements and compliance with all applicable sections of the Florida Building Code.

Staff assessment: The use is consistent with the city's land development code and a permitted use in the Industrial Zoning District. Applicant shall comply with requirements of the FBC.

2. Mitigation of adverse effects, if any, that the extended hours of operation or other applicable issues will have on neighboring properties, especially with respect to patron activities, including, but not limited, light and noise from music and/or patrons that may disturb surrounding properties.

Staff assessment: El Mani Restaurant is located in an Industrial Zoning District. The approval of an extended hours permit will not have a detrimental effect on surrounding properties provided they meet the conditions of the City of Doral Police Department and noise levels are maintained at a reasonable standard.

3. A safety and security plan developed by a Class B Security Company (Safety & Security Plan). In accordance with Sec. 34-16(e)(5)(b) "Public Safety Measures" – The permit holder shall comply with the minimum public safety measures as part of the approved Safety and Security Plan from 11:00 p.m. to closing. The city, through its police department, will confirm that the following minimum public safety measures are in the safety and security plan.
 - Security cameras
 - Off-duty police requirement and/or private security
 - Weapons detection system
 - Identification checks
 - Secured area
 - Training
 - Occupancy load monitoring

Staff assessment: The Physical Security Survey (Safety and Security Plan) for El Mani Restaurant was approved by the City of Doral Police Department on January 8, 2025

4. Upon determination that the application is complete, and the establishment meets all requirements of applicable federal, state, and local law, including the City Code requirements for alcoholic beverage use, and the permit fee is submitted, the city manager shall place the permit application on the council agenda together with a staff recommendation. The initial extended hours permit application must be approved by the city council. The city council may approve, approve with conditions or deny the extended hours application. Once the initial extended hours application has been approved by the city council the annual renewal may be approved administratively by the city manager or designee. The permit must be renewed annually by October 1. If the establishment dealing

in alcoholic beverages fails to renew the permit, the establishment shall lose all extended hours privileges immediately upon expiration of the existing permit.

Staff assessment: Application complies with the city code. Application is scheduled for the February 12, 2024, City Council meeting.

5. The extended hours permit shall be valid for one year from the date of issuance. The extended hours permit shall be issued beginning October 1 of each year and shall expire on September 30 of the following year. Businesses approaching their renewal date are responsible for submitting a renewal application form approximately 60 to 90 days before their license is set to expire. Prior approval of an extended hours permit does not create or confer any rights to any permittee. Renewal of the extended hours permit is subject to demonstrated compliance with all local, state, and federal laws concerning alcoholic beverages, and all applicable city code provisions.

Staff assessment: Applicant must comply with this section at time of permit renewal.

Fiscal Impact:

The resolution has no fiscal impact on city revenues or expenditures.

Recommendation

Staff requests that the Mayor and City Councilmembers authorize the extended hours permit for El Mani Restaurant at 1200 NW 78 Avenue, Unit # 112, to sell alcoholic beverages for consumption on premises until 2:30 a.m., subject to conditions set forth in the resolution.