

## COMMITTEE MEMORANDUM

TO: Neighborhood/Community Affairs Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 22, 2018

SUBJECT: Discussion Regarding an Ordinance amending The Hours Of Operation For Alcoholic Beverage Establishments In The Sunset Harbour Neighborhood

### **BACKGROUND**

This item was introduced at the September 27, 2017 Neighborhood and Community Affairs Committee (NCAC) meeting where a six month update was requested. At the April 4, 2018 meeting, the Code Compliance Department and Police Department provided a six-month history of the calls for service associated with 1811 Purdy Avenue, Purdy Lounge. The Committee provided direction for Purdy Lounge to look into additional solutions to curb the noise complaints by the condominium towers across the street from the location, including:

1. Immediately start redirecting patrons from the existing entrance to 18th Street with a physical solution.
2. Purdy Lounge security, to supplement the work of the Miami Beach Off-Duty Police, minimizes these issues.
3. Purdy Lounge to work with the Public Works Department to find a viable solution to the alley exit.

### **ANALYSIS**

The Code Compliance Department coordinated a site visit that took place on April 10, 2018 at 1811 Purdy Avenue. Representatives from the following departments were present: Fire Prevention, Police, Sanitation, Public Works, Planning & Zoning, Parking, and Code Compliance.

#### *Back Exit to Alleyway*

Specifically, the Committee requested Purdy Lounge to investigate the possibility of making the back exit to the alleyway the main point of exit for the patrons of Purdy Lounge. It was determined that at this time it is not possible to designate the back exit as the main entrance or exit point for the building for several reasons. The representative from Fire Prevention advised that the travel distance from the bathroom to the back exit would require the addition of sprinklers to the entire building. Additionally, the alleyway behind the establishment does not have the width required to meet the ADA requirements nor is the ramp the proper grade. See attached pictures for reference.

#### *Uber/Lyft Designated Area*

The Committee requested that Purdy Lounge and the City work together to develop a passenger pick-up and drop-off area to the south on 18th Street in an effort to minimize the amount of noise from passengers waiting for their ride. The Purdy Lounge has attempted to have Uber and Lyft geo-fence their business address to this location however they have not been successful in receiving confirmation from either ride share company. In an effort to encourage this behavior change, the Parking Department has established a 90-day pilot program creating a passenger loading zone on the north side of the 1400 block of 18th Street (approximately mid-block between Purdy Avenue and Bay Road). Parking regulations do not provide for the creation of a pick-up/drop-off location for a single establishment, but the proposed zone would serve multiple businesses in the Sunset Harbour neighborhood. The passenger loading zone will be in effect Thursdays – Sundays between 11:00 PM and 5:00 AM.

Additionally, Purdy Lounge has employed stanchions outside of the main exit that push customers toward 18th Street to prevent lingering in front of their establishment. This occurs on Fridays and Saturdays from 12:00 AM to 5:00 AM. They also use a modified direction method on Sundays and Mondays. See attached pictures. Furthermore, the bar has employed an additional security guard, bringing the total to three, who assists in directing customers to the 18th Street area when leaving.

#### *Calls for Service*

The Code Compliance Department has received two noise complaints for the establishment located at 1811 Purdy Avenue since the last Neighborhoods Committee meeting in early April. The first was on Saturday, May 5, 2018 at 2:30 AM. On this night, Purdy Lounge advised the off-duty Police Officers were not able to cover the shift. The Cinco de Mayo weekend presented a challenge for many businesses to fill off-duty jobs due to staffing requirements in other areas of the City. When Code responded to the noise complaint it was determined the noise was not unreasonably loud or excessive. It was noted that the inspection was conducted to the north, south, east and west of the establishment at street level and that both the music and the noise outside the establishment was not loud or excessive. As the call was made anonymously, there was no way for the officer to know the vantage point of the complainant and as a result, no violation was issued. The second noise complaint occurred on Monday, May 7, 2018 at 2:55 AM and was referred to Police as Code was not on duty at this time.

There were three Police calls for service since April 4, 2018, handled by police at Purdy Lounge. Two were “watch orders” of the Purdy area initiated by patrol officers on April 21<sup>st</sup> and April 28<sup>th</sup> (not really calls for service to the lounge, just listed because of the way the call was captured by the computer aided dispatch system). The remaining call was a disturbance where a male called advising he had been punched in face and then disconnected the call. The call was routed to on scene police (off-duty units working the Purdy Lounge) who per the notes closed the call with the disposition “In service – no report”. This was on April 22<sup>nd</sup> at 2:42 am.

#### *Other Actions Taken*

The management staff of Purdy Lounge met with the condominium tower residents on April 27, 2018 to discuss other solutions. An idea was floated about constructing a canopy or outdoor vestibule to reduce the amount of noise that travels upwards toward the condo building. Purdy Lounge has initiated the process of getting plans and quotes from various companies and will work with the appropriate departments to determine if this is a viable option.

**ATTACHMENTS:**

1. Photographs of Purdy Lounge back alleyway
2. Photographs of Stanchions

JLM/KGB/SKS

**ATTACHMENT 1: Photographs of Purdy Lounge back alleyway**





ATTACHMENT 2: STANCHIONS

