

# STAFF REPORT REGULAR MEETING

**AGENDA DATE:** August 1, 2023

**DEPARTMENT:** Community Sustainability

**TITLE:**

Consideration of an alcohol beverage distance waiver to allow package sales of alcoholic beverages (beer & wine only) at the Presidente Supermarket at 2505 North Dixie Highway

**SUMMARY:**

The applicant, Ariel Martinez on behalf of Presidente Supermarket, is requesting an alcohol beverage distance waiver to allow beer and wine packaged sales (2APS License) for Presidente Supermarket. The property, 2505 North Dixie Highway, is a plaza known as Arbor Square located at the 2500 block of North Dixie Highway, southwest corner of North Dixie Highway and the West Palm Beach Canal. Presidente Supermarket occupies 25,600 square feet of the existing building. The subject site is zoned Mixed Use – Dixie Highway (MU-DH) and has a future land use designation of Mixed Use – East (MU-E).

**BACKGROUND AND JUSTIFICATION:**

An alcohol distance waiver is required since Presidente Supermarket will be located within a 500ft radius of other alcoholic beverage establishments, protected land uses, and residential properties. The subject property is located within 500ft of:

- The City's **Spillway Park**,
- The residential **Sunset Ridge** and **College Park** neighborhoods,
- An existing restaurant at 2543 North Dixie Highway (**Don Juan Pizzeria**) within the same plaza is licensed for on-site consumption of beer only, and
- An existing store at 2507 North Dixie Highway (**Family Dollar**) that was granted a recent alcohol distance waiver for packaged sales (beer and wine) on May 2, 2023.

There are several relevant factors for this application's review, including the orientation of the plaza which limits direct impacts to protected uses, and the proximity of a recently granted alcohol distance waiver in the same plaza. These issues are detailed in the attached Planning & Zoning Board staff report. An additional consideration is that an anchor grocery store with accessory package alcohol sales historically took place at this location. Staff is seeking policy direction from the City Commission on the appropriateness of accessory beer and wine sales for grocery stores, as well as a determination of this application's consistency with the City's review criteria for an alcohol distance waiver.

At the July 19, 2023, Planning and Zoning Board (PZB) meeting, the board unanimously voted to recommend approval of the alcohol distance waiver to the City Commission. The PZB also recommended a future code change to exempt grocery stores with accessory beer and wine sales from the minimum distance requirements for alcohol sales provided that less than 10% of the sales floor area is dedicated to beer and wine products. This exemption would be similar to the one allowed for restaurants serving at least 51% of its gross revenue from the sales of food and nonalcoholic beverages.

**MOTION:**

Move to approve/disapprove the alcohol distance waiver for the sale of packaged beer and wine at Presidente Supermarket at 2505 N. Dixie Highway.

**ATTACHMENT(S):**

PZB Staff Report  
Supporting Documents