

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: October 6, 2020

DEPARTMENT: Community Sustainability

TITLE:

Consideration of PZB 20-00600001 – Request for an Alcohol Beverage Distance Waiver for the specialty distillery Dr. Spirits

SUMMARY:

This a request to consider an Alcohol Beverage Distance Waiver to allow the packaged sales of alcohol at 604 Lake Avenue for the specialty distillery Dr. Spirits

BACKGROUND AND JUSTIFICATION:

The Applicant, Daniel De Liege of Deli Brands, on behalf of David Kislin of Lucerne Ave Development, LLC, is requesting approval of an Alcohol Beverage Distance Waiver to allow the packaged sales of alcohol at 604 Lake Avenue as part of a new business to be known as Dr. Spirits, a specialty distillery. The subject site is located in the north 600 Block of Lake Avenue, on the northwest corner of Lake Avenue and North L Street. Per LDR Section 23.2-9, Alcohol Beverage Distance Waiver requests that involve packaged sales requires review by the City Commission.

The 8,500 square foot site is comprised of a two-story, +/-9,029 square foot building which will be occupied by Dr. Spirits, a specialty distillery/bar (+/- 2,647 sf), and Doc Holliday's BBQ, a sit-down restaurant (+/- 6,274 sf). The sale of packaged alcohol products is proposed to take place within the specialty distillery component and would be limited to alcohol products produced on premises through condition of approval.

The overall project is split into two phases:

- Phase I – Remodel +/- 2,647 square feet of the first floor of the building into Dr. Spirits, a specialty distillery with a tasting room. The conditional use permit and alcohol waiver for on-site consumption was approved by the Planning and Zoning Board on September 2, 2020 to allow for the specialty distillery use. The minor site plan amendment for exterior improvements is under administrative review as of 9/23/20. The renderings of the proposed exterior improvements are in Attachment B.
- Phase II – Remodel the remaining +/- 6,274 square feet of the first and second floor of the building into Doc Holliday's BBQ, a restaurant with a bar and accessory office. The administrative use permit for the restaurant component is concurrently under review with the minor site plan amendment.

The Applicant is requesting an Alcohol Beverage Distance Waiver to sell packaged alcohol products produced by the specialty distillery, Dr. Spirits, on the premises of the subject site. The land development regulations require all Alcohol Beverage Distance Waivers to be analyzed for consistency with Chapter 5-5(d). Staff has reviewed the application against this section and has determined that the proposed Waiver requested is consistent with the following standards for review:

1. Whether approval of the waiver will result in two or more alcoholic beverage establishments having a license within 500 feet of a protected land use or each other, or within 500 feet of a property zoned for residential use.

Staff Analysis: The approval of the waiver would result in the proposed business being within 500 feet of 19 other businesses that hold an alcohol beverage license. A full list of those businesses is included in Attachment A. The property is greater than 500 feet from a residential zoning district and is similar in nature and function to the other restaurant/bar uses within the downtown core area. The proposed specialty distillery/bar is not anticipated to create adverse impacts to the surrounding area as the downtown area is an entertainment commercial district. Meets Criterion.

2. Whether the license is being added to or is a license upgrade of an existing use or to an establishment which is relocating to the subject location.

Staff Analysis: There appears to have been alcohol beverage licenses at this location for the onsite consumption of alcohol linked to previous operating businesses at this site such as Rosie's Key West Grill, Ray's Key West Grill, and Lake Worth Rum Shack. The requested alcohol beverage distance waiver would allow for packaged sales in addition to on-site consumption. If approved, the proposed specialty distillery/bar will be subject to the limited hours of sale outlined in Chapter 5-4, which states that establishments with an alcohol license for packaged sales shall only sell between the hours of 7am – 10pm. Meets Criterion.

3. If the property contains a structure which is on the National Register of Historic Places or otherwise has been designated by the city as having historic architectural significance, whether the structure will be preserved or developed so as to retain its architectural and historic character

Staff Analysis: The property is not on the National Register of Historic Places nor is it designated as a local contributing historic structure. Meets Criterion.

4. Whether the waiver promotes the health, safety and welfare of the neighborhood and the public.

Staff Analysis: The waiver is crucial to the operations of the proposed specialty distillery/bar. The Applicant states that the proposed use will enhance the City by establishing a unique use within the City that will be well utilized by locals and tourists. Meets Criterion.

Based on the data and analysis in this report, the proposed Alcohol Beverage Distance Waiver request is consistent with the required review criteria.

MOTION:

Move to approve/disapprove **PZB 20-00600001 with a condition limiting package sales to products produced on-site** based on the data and analysis in the staff report for an Alcohol Beverage Distance Waiver to allow for packaged sales of alcoholic beverages at 604 Lake Avenue.

ATTACHMENT(S):

List of businesses with alcohol sales within 500 ft.
Renderings of Dr. Spirits distillery and Doc Holidays BBQ restaurant