



Memorandum

Meeting Details: May 10, 2023 – BOC Regular Meeting

Prepared For: Hon. Mayor Rostek and Board of Commissioners

From: Andrew Morris, Long Range Planner, Community Development Department

Subject: Public hearing for **2COP ALCOHOLIC BEVERAGE LICENSE APPLICATION ABP 2023-04** with stated intent to sell beer and wine for consumption on premises at Liliths Sugar Shack at 121 129th Ave E, Madeira Beach, Florida 33708.

Background:

Pursuant to Land Development Code Article VI, Division 6, Alcoholic Beverages, the applicant for ABP 2023-04 is requesting authorization from the Board of Commissioners for the approval of a (2COP) Alcoholic Beverage License with the intent to sell beer and wine for consumption on premises Liliths Sugar Shack at 121 129th Ave E, Madeira Beach, Florida 33708. This establishment is in the C-1, Tourist Commercial Zoning District, and in the Commercial General Future Land Use. As required in Section 110-539, the Notice of Public Hearing was properly sent to all property owners within 300 feet of the subject property 15 days prior to the scheduled consideration by the Board of Commissioners. Such notice has also been posted on the subject property.

Discussion:

When considering the alcoholic beverage application, the Board of Commissioners shall consider the following factors:

- (1) The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.**

Liliths Sugar Shack is in the C-1, Tourist Commercial Zoning District. This zoning district's purpose is to recognize the unique commercial, marine, tourist, and historic value of John's Pass Village. A cafe that sells beer and wine is an allowed use in the C-1 Zoning District and fits the character of the existing neighborhood. The previous tenant at this location had a 2COP Alcoholic Beverage License. The

proposed alcoholic beverage license use is compatible with the Zoning District and would not adversely affect the character of the existing neighborhood.

(2) The extent to which traffic generated as a result of the location of the proposed alcoholic beverage request will create congestion or present a safety hazard.

The Madeira Beach Code of Ordinances, *Section 110-954. Special parking areas* reduces the parking requirements by 50% for properties within the C-1 Tourist Commercial, Zoning District. The applicant listed three parking spaces and a multi-stall bike rack on the application. Bike racks are equal to three parking credits, this makes the parking spaces count a total of six spaces. The location would serve customers via a walkup window and have seating on property. The proposed alcohol beverage license use will not create congestion or present a safety hazard.

(3) Whether or not the proposed use is compatible with the particular location for which it is proposed.

This establishment is not located within three hundred feet of a church, synagogue, temple, or place of religious worship, public or private school operated for the instruction of minors, or youth recreation (community) center. Liliths Sugar Shack is in the C-1 Tourist Commercial, Zoning District, which is a commercial focused district that has a mix of businesses for both residents and visitors. Other nearby businesses sell alcohol within this Zoning District. This location was previously approved for an alcoholic beverage license. The proposed alcohol beverage license use would be compatible with the location.

(4) Whether or not the proposed use will adversely affect the public safety.

The proposed alcoholic beverage license use would not adversely affect public safety. This location previously had an approved alcoholic beverage license. The proposed alcoholic beverage license would be the same type of alcoholic beverage license as what was previously approved. The proposed alcoholic beverage license use would be a similar level of use to what was previously approved.

(5) No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed by the applicant to the city under any section of the Code.

The applicant has no outstanding fines, or penalties owed to the City under any section of the Code.

Fiscal Impact: N/A

Recommendation(s): Staff recommends approval of 2COP ALCOHOLIC BEVERAGE LICENSE APPLICATION # 2023-04 with stated intent to sell beer and wine for consumption on premises at Liliths Sugar Shack with the following conditions:

1. Alcohol must be consumed on property.
2. Any alterations of the building requires a building permit.

Attachments:

- Application
- Public Notice Mailing and Posting
- Survey from Previous Application for ABP 2023-04 Memorandum