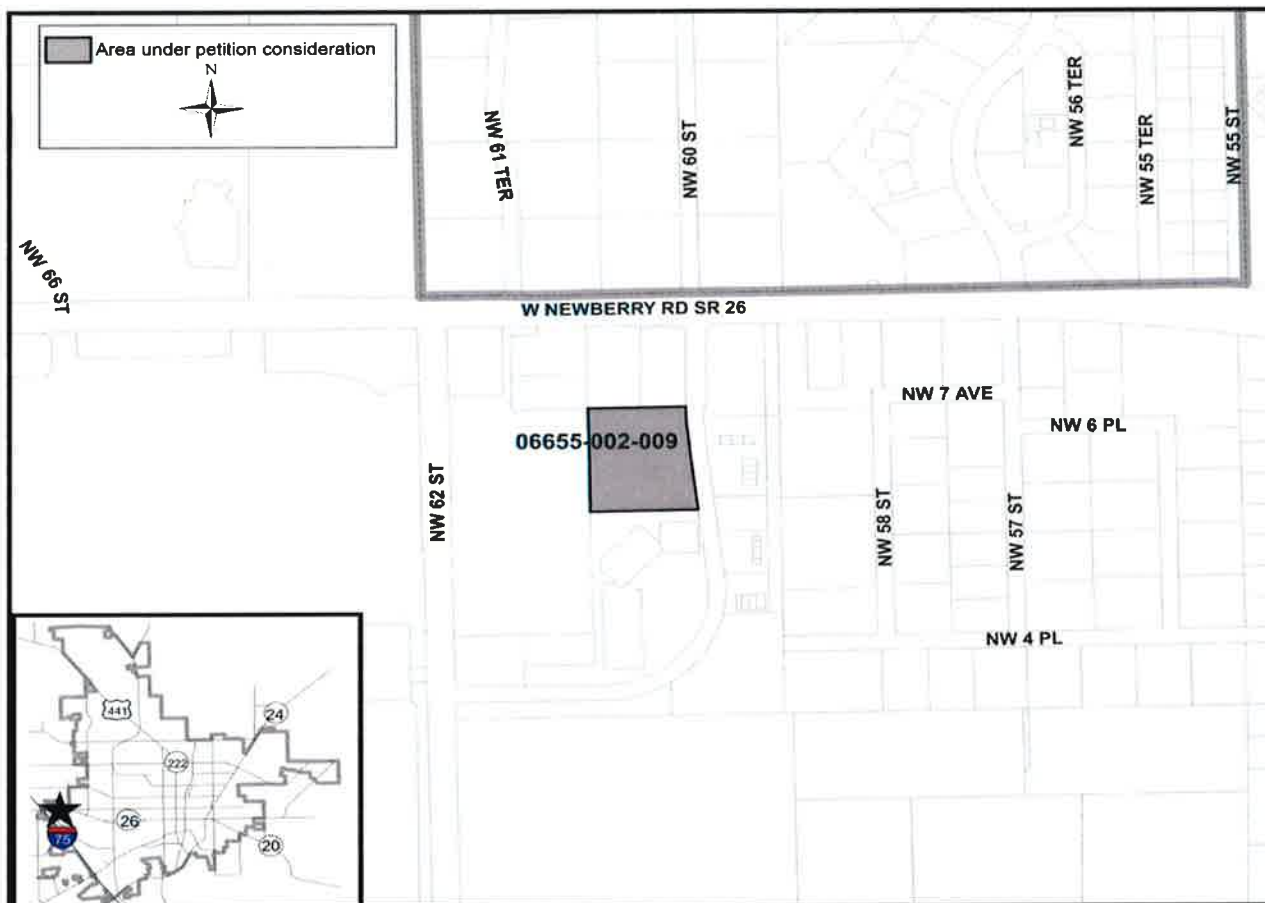


TO: City Plan Board Item Number: 1
FROM: Planning and Development Services Department DATE: March 24, 2016
SUBJECT: Petition PB-16-04 SUP. Joshua Shatkin, agent for Chris Hart, Blackadder Brewing Company. A Special Use Permit to allow a bar, (Alcoholic Beverage Establishment). Zoned BUS (General Business District). Located at 618 NW 60th Street.

Recommendation

Staff recommends approval of Petition PB-16-04 SUP, with the conditions and comments of the TRC included in this report.



Description

This petition is a request for a special use permit within an existing building, to allow conversion of an existing business occupancy to a bar with a new micro-brewery. The use is classified as an Alcoholic Beverage Establishment (ABE), which is allowed within the BUS zoning district by special use permit.

The property is located at 618 NW 60th Street, along the south side of Newberry Road, east of the Oaks Mall shopping center. It is surrounded on the north by a number of detached fast-food restaurants; on the west by a large retail store; on the south by restaurants and other service businesses; and on the east by a financial institution and general office uses. The overall area can be characterized as a large retail and service center serving the broader regional area. It is easily accessible from the major transportation corridors. Notable surrounding uses include a hospital to the north, an elementary school to the south and residential areas to the north and east; the proposed facility is more than 800 feet from a school and more than 100 feet from the closest residential area.

The business requesting the special use permit is called “Blackadder Brewing Company” which will operate as a bar. It is one of several occupancies within a multi-tenant building which has a total of approximately 23,700 square feet. Other uses within the main building are restaurants, retail stores and service facilities; there is one other facility, “Painting with a Twist”, which is classified as an alcoholic beverage establishments.

Key Issues

The area is part of a recognized commercial center offering retail, civic, social, food and entertainment services to the general public. Alcoholic beverages are currently served by several restaurants and retail establishments in the area. It is noteworthy that a restaurant is allowed to serve alcoholic beverages for consumption on premises without obtaining a special use permit, if its revenue from the sale of alcoholic beverages is less than 51% of its total revenue. A typical retail establishment may also sell alcoholic beverages in sealed containers for take away but not for consumption on premises. The main distinction between an ABE and other establishments selling alcoholic beverages is that the ABE is primarily engaged in the sale of alcoholic beverages for consumption on premises; the majority of its revenue comes from the sale of alcoholic beverages. Since the use is not an eating establishment and serves alcoholic beverages for consumption on premises, it is regulated as an ABE.

The issues are:

1. Does the location of the establishment meet the minimum separation of 300 feet from a Place of Religious assembly and 400 feet from a school?
2. Is an alcoholic beverage establishment incompatible with the area?

Basis for Recommendation

In reviewing the request for a special use permit, The Land Development Code lists a set of findings in Section 30-105 and Section 30-233 that the City Plan Board must consider concerning the proposed special use before granting approval. This report addresses the request to establish an alcoholic beverage establishment in relationship to the listed criteria.

A. Criteria specific to an Alcoholic Beverage Establishment (Section 30-105):

a. Spacing.

The code states that No alcoholic beverage establishment may be located within 300 linear feet of an established place of religious assembly and more than 400 feet from a private or public school.

There are no places of religious assembly within close proximity to the proposed facility. The proposed facility is located more than 800 feet from the nearest public school and more than 100 feet from the closest residential property.

b. Development plan approval.

The project does not trigger the threshold for detailed development plan review because the use is proposed in an existing building. An existing conditions map showing the relationship to surrounding developments is provided.

c. Additional regulations.

Entrance/Exit Separation

The entrance or exit of the proposed use is more than one hundred (100) linear feet from the boundary of a residential or OR zoning district.

There are no common boundaries with residential and OR districts; no landscape buffers are required.

B. Criteria based on the factors and standards for special use permits stated in Article VII(Section 30-233)

1. The proposed use and development complies with all required regulations and standards of Chapter 30 of the Land Development Code and all other applicable regulations.

The regulations and standards of Chapter 30 are evaluated through the appropriate level of development plan review. The proposed use is within a building which was constructed based on an approved development plan and has not changed; it is therefore in general compliance with the regulations and standards of the code. Proposed modifications to the interior and building façade will not affect the general placement of the occupancy in relationship to surrounding uses. The proposed use meets the separation requirement from a Place of Religious Assembly and schools. It is not within close proximity to any OR zoning district with residential.

Development Standards:

The facility complies with the general setback requirements of the BUS district and there are no special building setbacks for Alcoholic Beverage Establishments. Parking is provided in accordance with the requirements of the code and existing trees shall be preserved; no additional landscaping is required.

Condition 1.

The special use permit applies only to the specific business occupancy listed in the application. This approval does not exempt or preclude any other request from compliance with the overall standards and review criteria for uses allowed by special use permit.

2. The proposed use and development will have general compatibility and harmony with the uses and structures on adjacent and nearby properties.

The property is located in a street block bounded by Newberry Road to the north, SW 62nd Street to the west and SW 60th Street to the east and south; those roads server a very high volume of traffic on a daily basis. The block is currently occupied primarily by restaurants, general retail and service

uses which support and complement each other. The micro-brewery use is primarily for serving patrons to the bar and is not intended as a beer distribution facility. There are two uses within close proximity to the facility where alcoholic beverages are available for consumption on premises.

The closest residential use is approximately 400 feet from the proposed use and is separated by SW 60th Street and a strip of office uses. Given the characteristics of the subject property and surrounding areas, staff has determined that the development as proposed will have general compatibility and will be in harmony with the uses and structures on adjacent and nearby properties.

Condition 2.

Prior to issuing a final development order, the development must comply with the comments of the Technical Review Committee

Condition 3.

Approval of this petition does not allow an outdoor café or outdoor use and consumption of alcoholic beverages associated with this Alcoholic Beverage Establishment.

3. Necessary public utilities are available to the proposed site and have adequate capacity to service the proposed use and development.

The site is currently served with electric, gas, water, and sanitary sewer and adequate capacity is available to serve the intended use.

4. The use and development is serviced by streets of adequate capacity to accommodate the traffic impacts of the proposed use.

The development fronts SW 60th Street and is accessible from Newberry Road and SW 62nd Street; those are major routes providing east/ west and north/south connectivity to the major street networks. The use is also accessible via a network of pedestrian routes.

5. Screening and buffers are proposed of such type, dimension and character that will improve compatibility and harmony of the proposed use and structure with the uses and structures of adjacent and nearby properties.

Due to the location and compatibility of the proposed use to existing surrounding uses, no additional screening is required. The main property on which the use is located complies with the street buffer requirements of the code.

6. The use and development conforms to the general plans of the City as embodied in the Gainesville comprehensive plan.

The use is on property zoned BUS which is consistent with the underlying land use of Commercial. The overall property was subject to development plan review and was determined to be consistent with the general plans of the City.

7. The proposed use and development meets the level of service standards adopted in the comprehensive plan and conforms to the concurrency management requirements of the Land Development Code as specified in Article III, Division 2.

This development is located within Zone B of the Transportation Mobility Program Area (TMPA) but because of the nature of the use it is exempt from the TMPA requirements.

Additional Special Use Permit Factors Related to Surrounding Properties and Nearby Residential Uses:

- (1) Noise generated by the proposed establishment, considering placement of doors, windows and open spaces and any plans for music or entertainment;**

The use must comply with the noise ordinance; no outside activities are proposed, except as allowed for Special Events.

- (2) Amount of traffic generation and the pattern of its dispersal from the site, considering likely impacts on residential areas or conflicts with other uses; and**

The proposed modifications to the use are not expected to significantly change the traffic patterns and trip generation rates for the site. Such uses typically generate their highest volume of traffic and patronage on weekends and during the evening hours on week days.

- (2) Hours of activity.**

The hours of operation of the facility are listed below:

The bar hours shall be:

Tuesdays to Fridays	4:00pm to 10:00pm
Saturdays	12:00am to 10:00pm
Sundays	2:00pm to 9:00pm
Mondays	Closed

Respectfully submitted,



Ralph Hilliard
Planning Manager

Prepared by:



Lawrence Calderon
Lead Planner

Special Use Permit Conditions

Condition 1.

The special use permit applies only to the specific business occupancy listed in the application. This approval does not exempt or preclude any other request from compliance with the overall standards and review criteria for uses allowed by special use permit.

Condition 2.

Prior to issuing a final development order, the development must comply with the comments of the Technical Review Committee

Condition 3.

Approval of this petition does not allow an outdoor café or outdoor use and consumption of alcoholic beverages associated with this Alcoholic Beverage Establishment.

List of Attachments

Exhibit A - Application and Neighborhood Workshop Documents.

Exhibit B - Special Use Permit Justification Report.

Exhibit C - Technical Review Committee Comments.

Exhibit D - Relevant Code References.

Exhibit E - Development Plan and Associated Maps.

Exhibit "A"

Application and Neighborhood Workshop Documents

APPLICATION FOR SPECIAL USE PERMIT
Planning & Development Services

JAN - 5 2016
PLANNING & DEVELOPMENT SERVICES

OFFICE USE ONLY	
Petition No. <u>PB-16-024</u>	Fee: \$ <u>1086.00</u>
1 st Step Mtg Date: <u>10-26-15</u>	EZ Fee: \$ _____
Tax Map No. <u>3941</u>	Receipt No. _____
Account No. 001-660-6680-3401 [<input type="checkbox"/>]	
Account No. 001-660-6680-1124 (Enterprise Zone) [<input type="checkbox"/>]	
Account No. 001-660-6680-1125 (Enterprise Zone Credit) [<input type="checkbox"/>]	

Application for a special use permit will be accepted for review only after a pre-application conference (First Step Meeting). Application to be completed by applicant. Application must include a preliminary development plan. Incomplete applications will be returned to the applicant.

Name of Owner(s) (please print)
Name: <u>CHRIS HART</u>
Address: <u>1000 NW 51st Ter</u> <u>Gainesville, FL 32605</u>
Phn e: <u>352-339-0324</u> Fax: _____
Owner's Signature: _____
(If additional owners, please include on back)

Applicant(s)/Agent(s), if different
Name: <u>JOSHUA SHATKIN</u>
Address: <u>2266 SW 43rd Pl</u> <u>GAINESVILLE FL 32608</u>
Phn e: <u>352-223443</u> Fax: _____

PROPERTY INFORMATION: (Information below applies to property for which a Special Use Permit is being requested.)
Street address: <u>618 N.W. 60th STREET SUITE A</u>
Tax parcel number(s): <u>06655-002-009</u>
Legal description (use separate sheet, if needed):

I hereby attest to the fact that the above supplied parcel number(s) and legal description(s) is (are) the true and proper identification of the area for which the permit is being requested.

Signature of applicant: [Signature] Date: 1-5-16

Certified Cashier's Receipt:

A Special Use Permit is requested pursuant to Section 30, Subsection 233, Paragraph 1-7, of the Land Development Code, City of Gainesville, to allow the following use:

ALCOHOL SERVING BAR

A preliminary site plan is/is not required and is/is not attached.

Existing zoning classification: BUS Existing land use designation: C

Existing use of property: VACANT

SURROUNDING PROPERTY INFORMATION: (List all uses surrounding the subject property under "Existing use." Staff is available to supply zoning and land use information.)			
	Zoning	Land Use	Existing Use
North	BUS	C	RESTAURANT
South	BUS	C	RESTAURANT
East	OF	D	OFFICE
West	BUS	C	RETAIL

TO THE APPLICANT: (Please sign the bottom of this application after you have read the following.)

- The City of Gainesville will notify owners of property within 400 feet of the subject property of this application.
- No application for a Special Use Permit shall be entertained within 2 years after the denial or withdrawal of a request for the same use for the same property.
- The City Plan Board's decision concerning a Special Use Permit may be appealed by the applicant to a hearing officer within 15 days of the date notification of the decision is sent by certified mail to the applicant.

Signature: _____ Date: _____

Name of Owner (please print)	
Name:	CHRIS HART
Address:	1000 NW 51ST TERRACE GAINESVILLE FL 32605
Phone:	339-0324
Fax:	
Owner's Signature:	
(If additional owners, please list on separate sheet)	

Name of Owner (please print)	
Name:	
Address:	
Phone:	
Fax:	
Owner's Signature:	

Reference: Chapter 30, Land Development Code
City Code of Ordinances, Article VII, Division 5

APPLICATION FOR CONCURRENCY CERTIFICATION & TMPA REVIEW
DEPARTMENT OF PLANNING & DEVELOPMENT SERVICES

LONG FORM
(352) 334-5022

REC'D
JAN - 5 2016
PLANNING

OFFICE USE ONLY	
Petition No. <u>PB-16-02</u>	TMPA Zone [] A [] B [] C [] D [] E [] M

TYPE OF CERTIFICATION REQUESTED:
<input type="checkbox"/> Concurrency Determination (non-binding)
<input type="checkbox"/> Certificate of Preliminary Concurrency
<input type="checkbox"/> Certificate of Final Concurrency
<input type="checkbox"/> Certificate of Conditional Concurrency Reservation

Owner Name(s) (please print)
Name(s): <u>CHRIS HART</u>
<u>CHRIS@BLACKADDERBREWING.COM</u>
E-Mail Address:
Phone: <u>352-339-0324</u> Fax:
(If additional owners, please include on separate sheet)

Agent(s) Name (please print)
Name:
Mailing Address:
E-Mail Address:
Phone: Fax:
(Attach notarized authorization for agent to act on owner's behalf.)

PROJECT INFORMATION	
Project Name: <u>BLACKADDER BREWING COMPANY</u>	Phase: <u>1</u>
Location of Project (attach an 8 1/2" x 11" map showing location)	
1. Street address: <u>618 NW 60TH STREET, SUITE A</u>	
2. Legal description (may be attached):	
3. Tax parcel number(s): <u>06655-002-009</u>	4. Map number(s): <u>3941</u>
Existing Land Use Category: <u>C</u>	Existing Zoning: <u>BUS</u>

Is there a proposal to change the zoning and/or land use associated with this project? Yes No
 If yes, indicate petition number(s) associated with change:

PHASING

Is this project (phase) part of a larger project? Yes No

If yes, enumerate each phase, number of units or square footage in each phase and beginning/ completion date.

Total Project: Residential units	SF	SFA	MF
Non-residential (square footage)			
Mixed-use (describe mix)			

(If this is a single phase project, name it Phase I – Total)

RESIDENTIAL DATA					
Type	Phase	Number of units	Acres	Expected beginning date	Expected completion date
Single-family, detached					
Single-family, attached					
Multi-family					
Rooming houses or dormitories (beds)					
Other (specify)					

NON-RESIDENTIAL DATA					
Type(s) specify	Phase	Square footage	Acres	Expected beginning date	Expected completion date
BAR	1	3186		3-1-16	6-1-16

STOP HERE AND SIGN CERTIFICATION ON PAGE 3 IF YOU ARE REQUESTING ONLY A CONCURRENCY DETERMINATION

Required Information for Certificates of Preliminary, Final, and Conditional Concurrency Reservation & TMPA Review (Attach sheets to application.)

1. Attach a sheet with the average daily, and peak hour, peak direction trip generation for the project based on the latest edition of the ITE Trip Generation Manual. **(NOTE: The trip generation information MUST be attached to this application and shown on the development plan.)** In cases where the City and the applicant show differences in projected trips, the applicant’s calculations must be signed and sealed by the professional engineer registered in the State of Florida.

Application for Concurrency Certification & TMPA Review

- 2. Is the proposed project within the Transportation Mobility Program Area (TMPA) (see attached map)? If yes, please be aware that special criteria apply in this area. [] Yes [] No
 Zone A [] Zone B [] Zone C [] Zone D [] Zone E [] Zone M []
- 3. Indicate whether the proposed project will be eliminating any existing recreation facilities. If yes, detail the number and type being eliminated. [] Yes [] No
- 4. Submit a complete stormwater management plan for water quantity and water quality review by the City's Public Works Department. (Do not submit with this application, submit with the development plan.)
- 5. Does this application involve demolition or re-use of any structure(s)? [] Yes [] No

If yes, what is the size of the structure(s) to be demolished or re-used? 2,186 SP. (unit(s) or square footage)

What is the current use of the structure to be demolished or re-used?

VACANT - WAS A DAY SPA

Are you claiming trip credits for the demolition or re-use of a structure(s) at the site?

[] Yes [] No

If yes, provide estimates of credits for each previous use at the site. (Attach sheet with calculations.)

□ □ □ □ □

Certification

The undersigned has read the above application and is familiar with the information submitted herewith. It is agreed and understood that the undersigned will be held responsible for its accuracy. The undersigned hereby attests to the fact that the parcel number(s) and legal description(s) shown in questions 2 and 3 is/are the true and proper identification of the area for which the concurrency application is being submitted. Signatures of all owners or their agent are required on this form.

NOTE: The undersigned agrees that signing this application grants Planning staff the right to amend, for the sake of consistency, the square footage or number of units shown herein based on changes made to the development plan, subdivision, special use permit, or planned development during the review process.

[Signature]

Owner/Agent Signature

1-5-16

Date

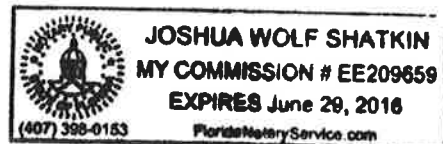
STATE OF FLORIDA

COUNTY OF BLANCHARD

Sworn to and subscribed before me this 5TH day of JANUARY 2016.

[Signature]
Signature - Notary Public

Personally Known OR Produced Identification _____



TRANSPORTATION MOBILITY ELEMENT

Transportation Mobility Program Area

Legend

Transportation Mobility Program Area Sub-Zones

- Zone A
- Zone B
- Zone C
- Zone D
- Zone E
- Zone M

Gainesville City Limits

City of Gainesville
Gainesville, Florida

Prepared by Planning and Development Services
November 2012



STAFF USE ONLY

Estimated demand:

Potable water (_____ units x 2.25) x 200 = _____ peak gallons per day (resid. only)

Water Supply _____ (see GRU)

Wastewater (_____ units x 2.25) x 113 = _____ average gallons per day (resid. only)

Solid Waste (_____ units x 2.25) x 3.6 = _____ pounds per day (resid. only)

Trip Generation _____ ADT; _____ added p.m. peak hour, peak direction trips

Stormwater	(See the Public Works Comment Sheet.)	Does the project meet water quality and water quantity LOS Standards, according to the Public Works Department?
------------	---------------------------------------	---

Recreation	_____	Does the project degrade the City's adopted LOS Standards for recreation?
------------	-------	---

Mass Transit	_____	Does the project impact any of the City's adopted LOS Standards for mass transit?
--------------	-------	---

Estimated credits for demolition/redevelopment/re-use:

Potable water (_____ units x 2.25) x 200 = _____ peak gallons per day (resid. only)

Water Supply _____ (see GRU)

Wastewater (_____ units x 2.25) x 113 = _____ average gallons per day (resid. only)

Solid Waste (_____ units x 2.25) x 3.6 = _____ pounds per day (resid. only)

Trip Generation _____ ADT; _____ peak p.m. hour, peak direction trips

Note: 2.25 = 2010 Census persons/household in Gainesville, FL

STAFF USE ONLY

This development meets all relevant Planning and Development Services Department LOS standards for concurrency and TMPA Review. Please see the Public Works comment sheet for information about Stormwater Management concurrency.

Signed _____

Date _____

Concurrency long form--nf
Revised: 10/24/13

January 5, 2016

Planning and Development Services
City of Gainesville

RE: Renovation of existing commercial suite for Blackadder Brewing Company – Special Use Permit

Attached is the application for a Special Use Permit. As this project is a bar serving alcohol a special use permit is required. The renovation is located in Suite A of 618 NW 60th Street, at southeastern suite of the commercial strip. The suite is approximately 2,186 s.f. The project includes a new micro-brewery system, new bar, restrooms, walk-in cooler, and seating. We are proposing secondary double doors on the south facade of the building. There will a new roof mounted HVAC system and new gas supply from GRU.

If you have any questions or comments regarding this subject please contact me at your earliest convenience.

Sincerely,



Joshua Wolf Shatkin



ILLUMINATIONS I, INC

January 6, 2016

Blackadder Brewing Company, LLC
618 NW 60th Street
Ste. A
Gainesville FL, 32607

RE: Suite A Build-Out

To Whom It May Concern;

This letter serves as written consent from Illuminations I, Inc. that:

1. Blackadder Brewing Company, LLC shall use the premises as; a) the production of beer as a craft brewery and b) a taproom with a primary menu of beer, wine, and cider for on-premises consumption, including an outdoor seating area if and to the extent allowed by law and c) the sale of Blackadder Brewing merchandise or related merchandise, including but not limited to apparel and glassware.
2. Blackadder Brewing Company, LLC intends to build-out/renovate the premises to better suit their intended purpose stated above.
3. Illuminations I, Inc. has agreed to preliminary build-out plans.
4. All build-out plans will adhere to all applicable state, county, and city codes.

Sincerely,



Merrill Pugh
Illuminations I, Inc.

Blackadder Brewery, 618 A NW 60th Street
 Neighborhood Workshop – January 19, 2016
 Sign in sheet



Name	Address	Phone No.
<u>Patricia Hart</u>	<u>1000 NW 51ST Terr 32605</u>	<u>335-2337</u>
<u>Chris Hart</u>	<u>1000 NW 51ST Terr. 32605</u>	<u>339-0324</u>
<u>JOSHUA SHATKIN</u>	<u>2266 SW 43RD PLACE 32608</u>	<u>222-3443</u>

NO ONE FROM THE PUBLIC SHOWED UP

FEB - 5 2016

Public Notice

A neighborhood workshop will be held to discuss the special use permit to convert an existing commercial suite into an alcohol serving bar with a micro-brewery. The site is located at 618 Northwest 60th Street, Suite A, Gainesville. This is not a public hearing. The purpose of the meeting is to inform the neighboring property owners of the nature of the proposal and to seek their comments.

The meeting will be held at 6 pm on Tuesday January 19th, 2016 at the suite of the proposed bar located at 618 Northwest 60th Street, Suite A, Gainesville. Contact person: Joshua Shatkin, Architect 352-222-3443

PB-16-4 SUP

The Gainesville Sun

Gainesville, FL
 TEL: (866) 470-7133 • FAX: (863) 802-7825
 FED ID#: 47-2464860

1 BILLING PERIOD		2 ADVERTISER / CLIENT NAME	
12/28/15 - 01/31/16		SHATKIN ARCHITECTURE LLC	
23 TOTAL AMOUNT DUE	*UNAPPLIED AMOUNT	3 TERMS OF PAYMENT	
0.00		NET 15 DAYS	
21 CURRENT AMOUNT DUE	22 30 DAYS	60 DAYS	OVER 90 DAYS
.00	.00	.00	.00

ADVERTISING INVOICE and STATEMENT

24 INVOICE NUMBER	4 PAGE #	5 BILLING DATE	6 BILLED ACCOUNT NUMBER	7 ADVERTISER / CLIENT NUMBER
31359595	1	01/31/16	740271	

8 - 5071
 SHATKIN ARCHITECTURE LLC
 JOSHUA SHATKIN
 2266 SW 43RD PL
 GAINESVILLE FL 32608-4037


9 REMITTANCE ADDRESS

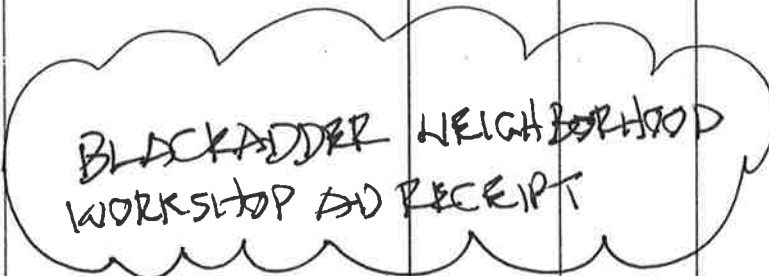
THE GAINESVILLE SUN
 PO BOX 915007
 ORLANDO FL 32891-5007



09313595950000000005

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

SEE REVERSE SIDE FOR CREDIT CARD PAYMENT OPTIONS.

10 DATE	11 NEWSPAPER REFERENCE	12/13/14 DESCRIPTION - OTHER COMMENTS/CHARGES	15 SAU SIZE 16 BILLED UNITS	17 TIMES RUN 18 RATE	19 GROSS AMOUNT	20 NET AMOUNT
12/27		BALANCE FORWARD				.00
12/30	921	GHO28157				-225.72
01/02	GHO28157 LEGAL/RETAIL	PUBLIC NOTICE GNV/FULL	2x31 61	1 37.62	225.72	225.72
						

STATEMENT OF ACCOUNT AGING OF PAST DUE ACCOUNTS SBI™

21 CURRENT NET AMOUNT DUE	22 30 DAYS	60 DAYS	OVER 90 DAYS	*UNAPPLIED AMOUNT	23 TOTAL AMOUNT DUE
.00	.00	.00	.00		.00

The Gainesville Sun

Questions on this Invoice call:
 Tel: (866) 470-7133 Fax: (863) 802-7825

Halifax
 MEDIA GROUP

24 INVOICE NUMBER	25 BILLING PERIOD	6 BILLED ACCOUNT NUMBER	7 ADVERTISER / CLIENT NUMBER	2 ADVERTISER / CLIENT NAME
31359595	12/28/15 - 01/31/16	740271		SHATKIN ARCHITECTURE

PB-16-4 SUP

Exhibit “B”

Special Use Permit Justification Report

Calderon, Lawrence D.

From: Joshua Shatkin <jwshatkin@gmail.com>
Sent: Thursday, March 03, 2016 6:42 PM
To: Calderon, Lawrence D.; Calderon, Lawrence D.; Chris Hart; Sissy Hart
Subject: Blackadder special use letter
Attachments: Blackadder Brewey Special Use requirements letter.pdf

Lawrence,

Attached is the letter addressing the Alcoholic Beverage Establishment requirements for the Blackadder Brewery special use permit.

Please call me if you have any questions about it or need any additional information.

Thanks,
Joshua



Shatkin Architecture LLC
2266 SW 43rd Place
Gainesville, FL 32608
352-222-3443
joshua@shatkin.net

March 3, 2016

Planning and Development Services
City of Gainesville
Attn: Lawrence Calderon

RE: Renovation of existing commercial suite for Blackadder Brewing Company – Special Use Permit located in Suite A of 618 NW 60th Street.

This letter is in response to the requirements for alcoholic beverage establishments in the LDC 30-105 and 30-233.

The establishment is not located within 300 feet of a place of religious establishment.
The establishment is not located within 400 feet of a school. The closest school is Myra Terwilliger Elementary which is located over 800 feet to the south.
The establishment is not located with 100 feet of a residential district or OR zoned district.

The bar hours shall be:
Tues – Fri: 4pm to 10pm
Sat: 12am to 10pm
Sun: 2pm to 9pm
Mon: Closed

This bar shall require 23 parking spaces. There are spaces dispersed around the commercial development and handicap parking and accessibility directly adjacent to this suite. Many of the adjacent businesses close around 5pm, and due to the hours of operation of this bar there will be ample parking available on site.

This establishment shall not a noise nuisance as all business operations are within the suite.

The bar shall contain a microbrewery, the beer produced is not for distribution outside the bar but for the bar patrons only.

The proposed bar shall be compatible and in harmony with the adjacent uses. The suite adjacent to this one is "Painting with a Twist" which is already permitted to have beer and wine.

All the utilities required for this use are provided on site. GRU has recently installed a gas line for gas service.

There are a substantial amount of trees and landscape buffers provided on the site.

The proposed use meets with the level of service standards of the comprehensive plan and conforms with the concurrency management requirements.

Attachment “C”

TECHNICAL REVIEW COMMITTEE COMMENTS

PLANNING & DEVELOPMENT SERVICES DIVISION
THOMAS CENTER BUILDING “B”
306 NE 6TH AVENUE (352)334-5023

TRC COMMENTS

(CONTINUED)

PETITION NO. PB-16-04 SUP	DATE PLAN RECEIVED: 1/15/2016	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> REVIEW TYPE: <input checked="" type="checkbox"/> Prelim Dev <input type="checkbox"/> Final Dev <input type="checkbox"/> Amendment <input type="checkbox"/> Special Use <input type="checkbox"/> Planned Dev <input type="checkbox"/> Design Plat </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Concept <input type="checkbox"/> Minor Dev. <input type="checkbox"/> Minor Sub. <input type="checkbox"/> Street Vacation <input type="checkbox"/> Other:Land Use </td> </tr> </table>	REVIEW TYPE: <input checked="" type="checkbox"/> Prelim Dev <input type="checkbox"/> Final Dev <input type="checkbox"/> Amendment <input type="checkbox"/> Special Use <input type="checkbox"/> Planned Dev <input type="checkbox"/> Design Plat	<input type="checkbox"/> Concept <input type="checkbox"/> Minor Dev. <input type="checkbox"/> Minor Sub. <input type="checkbox"/> Street Vacation <input type="checkbox"/> Other:Land Use
REVIEW TYPE: <input checked="" type="checkbox"/> Prelim Dev <input type="checkbox"/> Final Dev <input type="checkbox"/> Amendment <input type="checkbox"/> Special Use <input type="checkbox"/> Planned Dev <input type="checkbox"/> Design Plat	<input type="checkbox"/> Concept <input type="checkbox"/> Minor Dev. <input type="checkbox"/> Minor Sub. <input type="checkbox"/> Street Vacation <input type="checkbox"/> Other:Land Use			
REVIEWING BODY: Technical Review Cmt.	REVIEW DATE: 2/03/2016			
	REVIEW LEVEL: N/A			
PROJECT DESCRIPTION: <u>Review for Petition PB-16-04 SUP.</u> Joshua Shatkin, agent for Chris Hart, Blackadder Brewing Company. A Special Use Permit to allow a bar, (Alcoholic Beverage Establishment). Zoned BUS (General Business District). Located at 618 NW 60 th Street.		PROJECT PLANNER: Lawrence Calderon		

RECOMMENDATIONS/REQUIREMENTS/COMMENT

Planning Comments

Lawrence Calderon, Lead Planner, 334-5023

RECOMMENDATIONS/REQUIREMENTS/COMMENT

1. Outdoor serving of alcoholic beverage not included with this permit.
2. Must comply with the requirements of Section 30-105

GRU Comments

Ellen Underwood, New Development Coordinator, 393-1644
underwoodfe@gru.com

GRU comments are being provided to the applicant in the form of redline markups of the plans.

GRU Wellfield (INSERT REVIEW RESULT)

Russ Ingram, Supervising Engineer Utility Designer, 393-1642

Not in the Wellfield District

Fire and Life Safety Services (No Comments)

Steve Hesson, Fire Inspector, 334-5065

Environmental Comments: No Involvement.

John Hendrix, Environmental Coordinator

E-mail: hendrixjw@cityofgainesville.org; Phone: 352-393-8347

TRC COMMENTS

(CONTINUED)

Concurrency Comments (Approvable subject to below)
Jason Simmons, Concurrency Planning, 334-5022

1. Please fill out and submit a concurrency exemption form. Check box number 3, a project alteration that will not create any additional impacts on adopted level of service standards.

Building Department Comments (Approvable with conditions - 9/3/14)
Linda Patrick, Plans Examiner (PX934), 334-5050
patricklr@cityofgainesville.org

9/3/14 Conditions

1. There was no review of the architectural documents for building code concerns. However, tenant needs to be aware of specific construction standards that would be required to be met for a Change of Use (from Business to Assembly) per the Florida Building Code (2010; Existing & Building. a) tenant separation; fire alarm; fire sprinkler; additional toilet facilities are just a few items. I strongly suggest the tenant & owner talk to a design professional concerning this use change.

Urban Forestry Comments (Approvable as submitted)
Earline Luhrman, Urban Forestry Inspector, 393-8171

3/15/16

1. Approvable as submitted

Public Works Recommendation: No Involvement
Requirements: FDOT Approval Required

Community Redevelopment Agency (No comments)
CRA Project Coordinator, 334-2205

Hazardous Materials - ACEPD (INSERT REVIEW RESULT)
Agustin Olmos, Water Resources Supervisor, PE, 264-6800

CPTED Practitioner 393-8475
Jaime Kurnick, Police Sergeant, 317-4548
GPD Crime Prevention Unit Comments

NO Comments

Exhibit D

Relevant Code References.

Sec. 30-23 – Definition of Alcoholic beverage establishments

Alcoholic beverage establishment means any use located in any structure or building or portion thereof which:

- (1) Involves the retail sale of alcoholic beverages for consumption on the premises. This phrase does not include an accessory use which involves the retail sale of alcoholic beverages for consumption on-premises if the principal use is:
 - a. Membership organizations (MG-86).
 - b. Amusement and recreation services (MG-79), but not including coin-operated amusement devices (IN-7993) and amusement and recreation services not elsewhere classified (IN-7999).
 - c. Motion picture theaters (GN-783).
 - d. Hotels and motels (IN-7011) of not fewer than 100 guestrooms when the alcoholic beverage establishment is operated by the management of the hotel or motel.
 - e. Eating places, as defined below.

- (2) Is a bottle club as defined below.

Bottle club means a business establishment not licensed to sell alcoholic beverages providing facilities for the consumption of alcoholic beverages by its patrons on the premises, but without regard as to whether the patrons are required to be members of the bottle club. A bottle club does not include a social, fraternal or civic association or organization not licensed to sell alcoholic beverages which only incidentally, as opposed to primarily, provides facilities for on-premises consumption of alcoholic beverages by its members and their guests. A bottle club can be a private club or a public business establishment in which the principal revenue would be derived from the sale of setups, mixers, ice and water and charges for any entertainment provided.

Eating place means any use located in any structure or building or portion thereof where the use primarily involves the retail sale, which may include caterers and industrial and institutional food service establishments, of food and beverages which may include alcoholic beverages, for consumption on the premises and where at least 51 percent of the monthly gross revenues derived from such use are attributable to the sale of food and nonalcoholic beverages

Sec. 30-23. - Definitions.

- ***Alcoholic beverage establishment* means any use located in any structure or building or portion thereof which:**

(1)

Involves the retail sale of alcoholic beverages for consumption on the premises. This phrase does not include an accessory use which involves the retail sale of alcoholic beverages for consumption on-premises if the principal use is:

a.

Membership organizations (MG-86).

b.

Amusement and recreation services (MG-79), but not including coin-operated amusement devices (IN-7993) and amusement and recreation services not elsewhere classified (IN-7999).

c.

Motion picture theaters (GN-783).

d.

Hotels and motels (IN-7011) of not fewer than 100 guestrooms when the alcoholic beverage establishment is operated by the management of the hotel or motel.

e.

Eating places, as defined below.

(2)

Is a bottle club as defined below.

Alcoholic beverages means all beverages containing more than one percent of alcohol by weight.

Bottle club means a business establishment not licensed to sell alcoholic beverages providing facilities for the consumption of alcoholic beverages by its patrons on the premises, but without regard as to whether the patrons are required to be members of the bottle club. A bottle club does not include a social, fraternal or civic association or

organization not licensed to sell alcoholic beverages which only incidentally, as opposed to primarily, provides facilities for on-premises consumption of alcoholic beverages by its members and their guests. A bottle club can be a private club or a public business establishment in which the principal revenue would be derived from the sale of setups, mixers, ice and water and charges for any entertainment provided.

Sec. 30-61. - General business district (BUS).

(a)

Purpose. The general business district is established to provide for a wide range of commercial, business and office uses located along major transportation arteries and frontage roads. The district shall be located so as to promote compatibility with residential uses while maintaining flexibility for commercial uses. If appropriate transitional zones between residential and general business areas do not exist, they must be provided through the use of design features under the development plan provisions of this chapter. Residential uses are encouraged both to buffer the more intense aspects of these areas and to provide greater flexibility in areas of existing strip development.

(b)

Objectives. The provisions of this district are intended to:

(1)

Permit compatible commercial, office and service developments that benefit from being located in close proximity to each other;

(2)

Minimize traffic congestion on public streets;

(3)

Ensure, through development plan approval, that major commercial developments are designed to promote the most efficient use of the land, as well as establish a harmonious relationship between such development and its environment;

(4)

Require appropriate buffering or screening around such development when it abuts any residential district boundary, to maintain its compatibility with such abutting district; and

(5)

Discourage, as much as possible, encroachment by industrial, residential or other uses considered capable of adversely affecting the basic commercial characteristics of the district.

(6)

Provide community level services and retail uses. Such districts should not overlap other community serving activity centers.

(c)

Permitted uses.

SIC	Uses	Conditions
	USES BY RIGHT:	
	Any accessory uses customarily and clearly incidental to any permitted principal use	
	Bed and breakfast establishments	In accordance with article VI
	Compound uses	
	Eating places	
	Itinerant food vendor	Only on parcels that contain a retail store with a minimum gross floor area of 50,000 square feet and in accordance with chapter 19, article IV
	Outdoor cafe	As defined in article II and in accordance with article

		VI
	Personal fitting and sales of prosthetic or orthopedic appliances	
	Places of religious assembly	In accordance with article VI
	Public service vehicles	As defined in article II and in accordance with article VI
	Repair services for household needs	As defined in article II
	Forest nursery for sale of planted trees only	In a non-enclosed (outdoor), fenced area; excluding storage and outside storage of all other items other than: (1) trees planted in the ground, and (2) mechanical and vehicular equipment used to plant, cultivate and harvest the trees; subject to development plan review
GN-074	Veterinary services	Only within enclosed buildings and in accordance with article VI
IN-0752	Animal specialty services, except veterinary	Only within enclosed buildings
GN-078	Landscape and horticultural services	
MG-15	Building construction - General contractors and operative builders	
GN-171	Plumbing, heating and air conditioning contractors	
GN-	Painting and paper hangers	

172		
GN-173	Electrical work	
IN-2261	Finishers of broadwoven fabrics of cotton	
IN-2262	Finishers of broadwoven fabrics of manmade fiber and silk	
MG-27	Printing, publishing and allied industries	
MG-43	U.S. Postal Service	
GN-472	Arrangement of passenger transportation	Offices only, with no operation of passenger tours from the site
MG-48	Communications	Accessory transmission, retransmission and microwave towers up to and including 100 feet in height in accordance with article VI
GN-523	Paint, glass and wallpaper stores	
GN-525	Hardware stores	
GN-526	Retail nurseries, lawn and garden supply stores	
MG-53	General merchandise stores	
MG-54	Food stores	Accessory gasoline and alternative fuel pumps in accordance with article VI

GN-553	Auto and home supply stores	Excluding garage and installation facilities except as provided for with a special use permit
GN-554	Gasoline service stations including the sale of alternative fuels for automobiles	In accordance with article VI
MG-56	Apparel and accessory stores	
MG-57	Home furniture, furnishings and equipment stores	
MG-59	Miscellaneous retail	Direct selling establishments (IN-5963) and fuel oil dealers (IN-5983) with inside storage, display and sales only
	Sexually oriented retail store	In accordance with section 30-90
Div. H	Finance, insurance and real estate	Excluding cemetery subdivisions and developers (IN-6553)
SIC	Uses	Conditions
MG-72	Personal services	Including funeral services and crematories in accordance with article VI
MG-73	Business services	Excluding outdoor advertising services (IN-7312, heavy construction equipment rental and leasing (IN-7353), and equipment rental and leasing, not elsewhere classified (IN-7359); and including disinfecting and pest control services (IN-7342), in accordance with article VI.
GN-752	Automobile parking	
MG-	Miscellaneous repair services	Excluding miscellaneous repair shops and related services (GN-769), and including repair services for

76		household needs as defined in article II
MG-78	Motion pictures	Excluding drive-in theaters (IN-7833) and outdoor filming facilities and sexually oriented motion picture theaters and motion picture arcades
MG-79	Amusement and recreation services	Only within enclosed structures, and excluding go-cart rental and raceway operations and also excluding commercial sports (GN-794)
MG-80	Health services	Including nursing and personal care facilities (GN-805) in accordance with article VI, and excluding hospitals (GN-806) and rehabilitation centers.
MG-81	Legal services	
MG-82	Educational services	Including private schools in accordance with article VI
MG-83	Social services	Including day care as defined in article II and in accordance with article VI, excluding rehabilitation centers, halfway houses, social service homes, and residences for destitute people as defined in article II
GN-841	Museums and art galleries	
MG-86	Membership organizations	
MG-87	Engineering, accounting, research, management and related services	Excluding testing laboratories, (IN-8734) and facility support management services (IN-8744)
MG-89	Services, not elsewhere classified	

Div. J	Public administration	
	USES BY SPECIAL USE PERMIT	
	Accessory transmission, retransmission and microwave towers over 100 feet in height	In accordance with article VI
	Alcoholic beverage establishments	In accordance with article VI (See Below)
	Food distribution center for the needy	In accordance with article VI
	Retail sales of electric golf carts	In accordance with article VI
	Limited automotive services	In accordance with article VI
	Rehabilitation centers	In accordance with article VI
	Residences for destitute people	In accordance with article VI
GN-598	Fuel dealers	In accordance with article IX
GN-701	Hotels and motels	
GN-702	Roominghouses and boardinghouses	In accordance with article VI
	Ice manufacturing/vending machines	In accordance with article VI

(d)

Dimensional requirements.

(1)

Minimum yard setbacks:

a.

Front: Ten feet.

b.

Where the side or rear yard abuts property which is in a residential district or is shown for residential use on the future land use map of the comprehensive plan, the minimum setback shall be 50 feet or the distance created by the 60-degree angle of light obstruction, whichever is greater.

(2)

Accessory structures shall not exceed 25 feet in height.

(3)

Maximum lot coverage: 40 percent.

(4)

Maximum building height: Where the side or rear yard abuts property which is in a residential district or is shown for residential use on the future land use map of the comprehensive plan, the maximum building height shall be three stories.

(e)

General requirements.

(1)

Where the side or rear yard abuts property which is in a residential district or is shown for residential use on the future land use map of the comprehensive plan, solid waste, recycling, yard trash containers (except litter containers), and grease containers, that are stored outside of the building, shall be placed at the side or the rear of the building and within ten feet of the building. The container shall be enclosed with an enclosing wall, so that it is not visible from the street or adjacent property (from ground level). The enclosing wall shall be finished and/or painted with the same material as is used on the building. The enclosing

wall shall be fitted with an opaque sliding or hinged door and working latch. Loading docks shall be placed at the side or rear of the building, and shall be screened from the street and abutting residential land.

(2)

Mechanical equipment shall be located so that noise and visual impacts upon abutting residential property are minimized. For purposes of this section, mechanical equipment is defined as a heating, ventilation, or air conditioning unit placed outside of a building.

(3)

All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-67 and article IX.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3918, § 3, 11-15-93; Ord. No. 3963, § 3, 3-14-94; Ord. No. 4075, § 6, 5-8-95; Ord. No. 950862, § 3, 11-13-95; Ord. No. 951420, § 3, 7-8-96; Ord. No. 980273, § 1, 11-9-98; Ord. No. 030128, § 1, 10-27-03; Ord. No. 030752, § 4, 5-10-04; Ord. No. 030916, § 1, 8-9-04; Ord. No. 070619, § 3, 3-24-08; Ord. No. 070209, § 1, 7-14-08; Ord. No. 090643, § 4, 4-15-10; Ord. No. 100023, § 2, 9-16-10; Ord. No. 110289, § 6, 11-3-11)

Article VI

Sec. 30-105. - Alcoholic beverage establishments.

(a)

Spacing.

- (1) No alcoholic beverage establishment may be located within 300 linear feet of an established place of religious assembly, which distance shall be measured by extending a straight line from the main entrance of the alcoholic beverage establishment to the main entrance of the place of religious assembly. This spacing requirement shall not apply in the CCD (central city district) and the BT (tourist-oriented district).
- (2) No alcoholic beverage establishment may be located within 400 linear feet of any public or private school, duly accredited and offering any grades from kindergarten through the twelfth grade, which distance shall be measured by a straight line from the main entrance of the alcoholic beverage establishment to

the nearest part of the school grounds normally and regularly used in connection with such school program. This spacing requirement shall not apply in the CCD (central city district) and the BT (tourist-oriented district).

(b) *Development plan approval.* Development plan approval shall be required prior to the issuance of a development order for any or all of the following:

- (1) The construction of any new alcoholic beverage establishment;
- (2) The construction of any new parking spaces required or provided for the building or structure in which an existing or proposed alcoholic beverage establishment is located;
- (3) The expansion of the gross floor area of a building or structure in which an existing or proposed alcoholic beverage establishment is located;
- (4) The alteration or enlargement of a building envelope or alteration of the site configuration of a building or structure in which an existing or proposed alcoholic beverage establishment is located; and
- (5) The construction of a pedestrian or vehicular pickup window or menu board for an existing or proposed alcoholic beverage establishment.

(c) *Additional regulations.*

- (1) No entrance or exit, except as provided below, connected to any portion of a building normally utilized by patrons of an alcoholic beverage establishment by a continuous and unobstructed path of travel, shall be located within:
 - a. One hundred linear feet of the district boundary line of a residential district as enumerated in Article IV of this chapter.
 - b. One hundred linear feet of the lot line of a lot located in an OR zoned district which lot has a building(s) located thereon which contains one (1) or more dwelling units. Emergency exits may be located within the one-hundred-linear-foot distance requirement described above provided that such exits are controlled by a door equipped with panic hardware, and designed so as to prevent their utilization as an entrance. For purposes of the distance requirements provided in subsection (c)(1) of this section, the measurement shall be made by extending a straight line from the district boundary or lot line in question to any entrance or exit. If the building housing the alcoholic beverage establishment lies within the path of the straight line, then the shortest distance between the door and the boundary or lot line (including the length of the intervening exterior walls of the building) shall be utilized to calculate the distance requirements.
- (2) Landscape buffer requirements for incompatible land uses. There shall be a landscape buffer in accordance with the specifications provided in section 30-

253 along the entire common boundary of the lot upon which the alcoholic beverage establishment is located and:

- a. The district boundary line of any residential district as enumerated in Article IV of this chapter.
 - b. The lot line of a lot located in an OR zoned district which lot has a building located thereon which contains one or more dwelling units.
- (d) *Special use permit.* In addition to all of the above specific requirements, the plan board shall consider the factors and standards for special use permits stated in Article VII and may prescribe appropriate conditions and safeguards as stated in Article VII. In granting a special use permit for an alcoholic beverage establishment, the plan board shall consider the factors and standards usual to all special use permits, including the effect of the following factors on surrounding properties, particularly on surrounding properties located in residential districts or districts which contain dwelling units as enumerated in Article IV of this chapter:
- (1) Noise generated by the proposed establishment, considering placement of doors, windows and open spaces and any plans for music or entertainment;
 - (2) Amount of traffic generation and the pattern of its dispersal from the site, considering likely impacts on residential areas or conflicts with other uses; and
 - (3) Hours of activity.

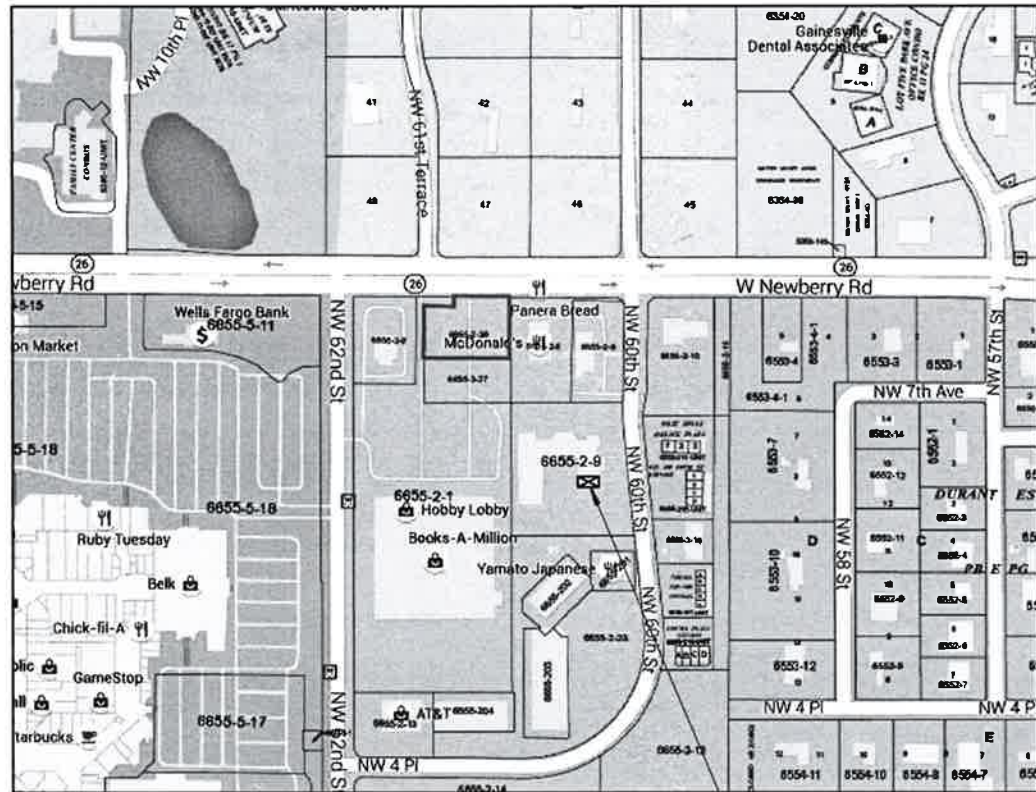
Exhibit “E”

Development Plan and Associated Maps

RENOVATION OF EXISTING COMMERCIAL SUITE FOR A NEW BAR

BLACKADDER BREWING COMPANY

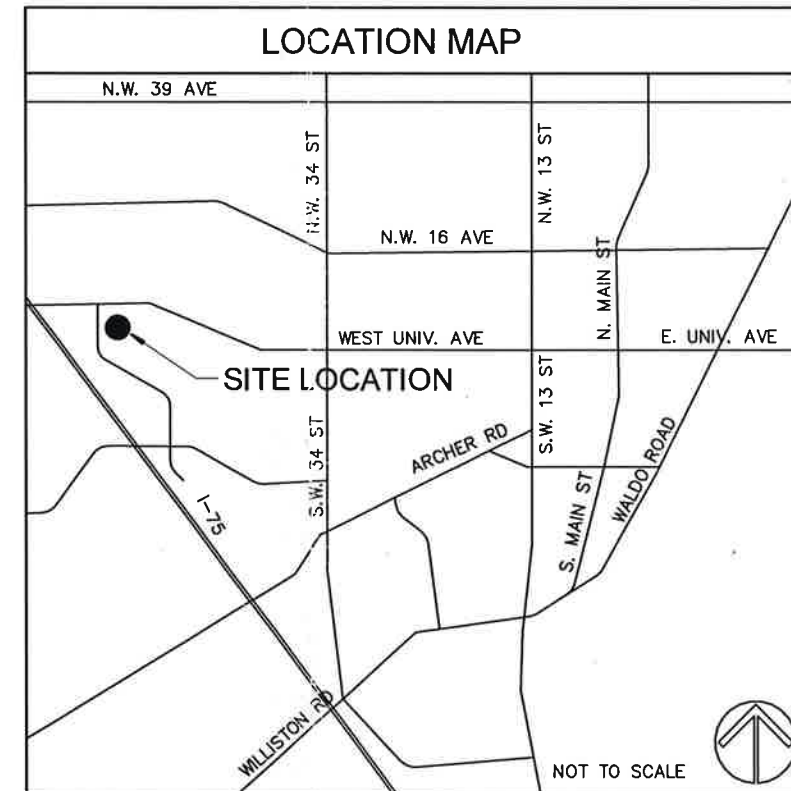
618 N.W. 60th STREET, SUITE A, GAINESVILLE, FLORIDA



SITE LOCATION

GENERAL NOTES

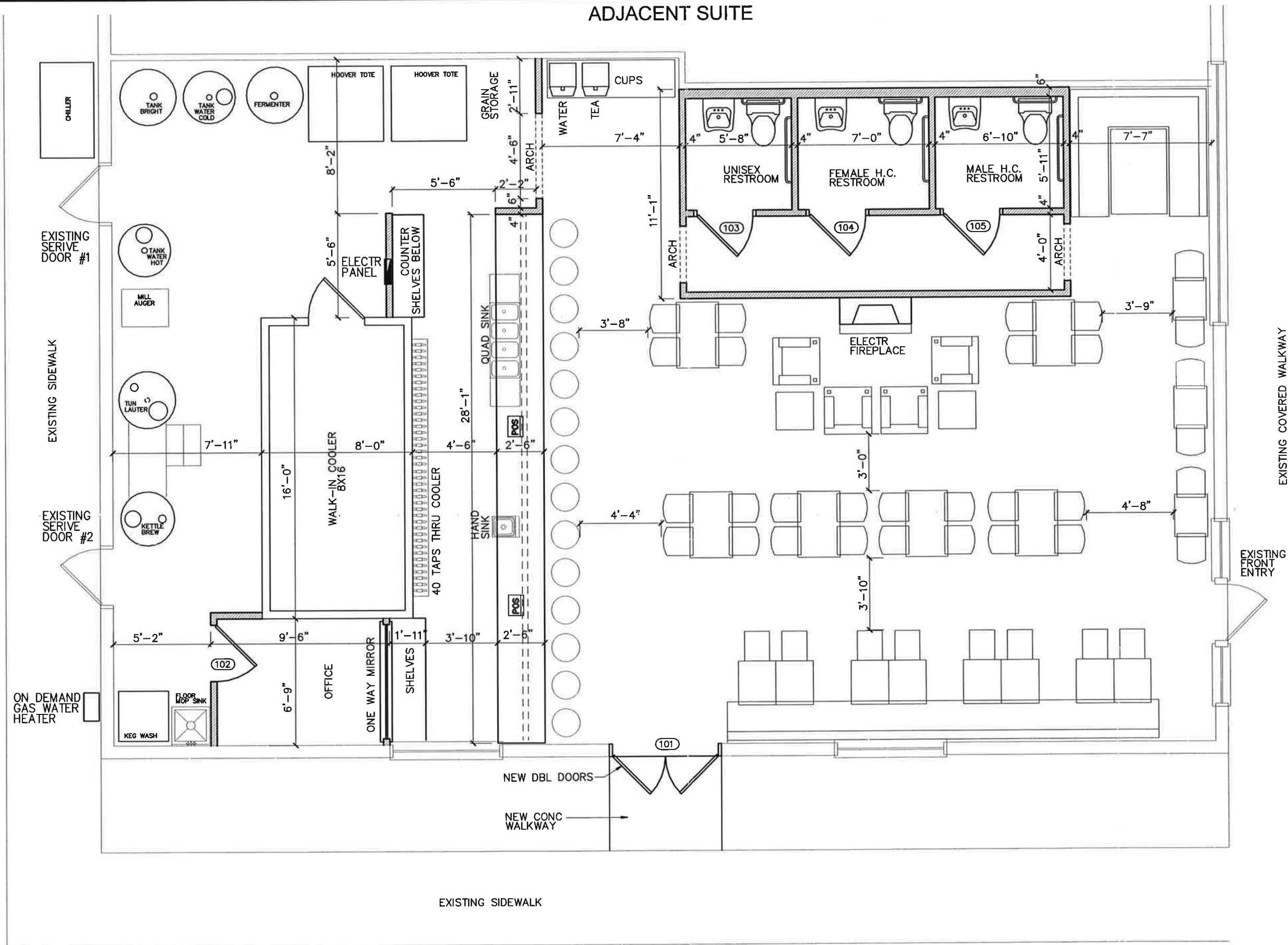
1. THE PROJECT CONSISTS OF THE RENOVATION OF AN EXISTING COMMERCIAL SUITE FOR A NEW BAR WITH A MICRO BREWERY.
A SPECIAL USE PERMIT IS REQUIRED TO ALLOW A BAR AT THE PROPOSED LOCATION.
2. TAX PARCEL NO. 06655-002-009
3. SUITE AREA: 2,186 S.F.
4. LAND USE: C
5. ZONING: BUS
6. THIS SITE IS NOT IN A HISTORIC PRESERVATION DISTRICT.
7. THIS SITE IS NOT IN A FLOOD PLAIN.
8. THIS SITE IS NOT IN THE ENTERPRISE ZONE.
9. THIS SITE AND BUILDING COMPLIES WITH THE STATE OF FLORIDA ACCESSIBILITY CODE.
10. UTILITIES:
EXISTING ELECTRICAL SUPPLY TO REMAIN
NEW GRU GAS LINE AND METER TO BE INSTALLED
EXISTING SEWER CONNECTION TO REMAIN
11. CONSTRUCTION TYPE (FDC 601): TYPE V-B
12. OCCUPANCY CLASS (FDC 303.3): ASSEMBLY A-2
OCCUPANT LOAD: SEATING 70
EMPLOYEES 3
13. SPRINKLERED: NO



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REVISIONS:
PROJECT: SA-1420
DRAWN BY: J.W.S.
CHECKED:
DATE: 1-4-2016

ADJACENT SUITE



ON DEMAND GAS WATER HEATER

EXISTING SERVICE DOOR #2

EXISTING SERVICE DOOR #1

EXISTING SIDEWALK

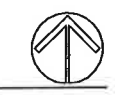
EXISTING SIDEWALK

EXISTING COVERED WALKWAY

EXISTING FRONT ENTRY

RENOVATION FLOOR PLAN

3/16" = 1'-0"



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REVISIONS:
 PROJECT: SA-1420
 DRAWN BY: J.W.S.
 CHECKED:
 DATE: 1-4-2016