

LEGISLATIVE #

120146A

City Plan Board Draft Minutes June 28, 2012

3. **Petition PB-12-60 TCH** City of Gainesville. Amend the Land Development Code to prohibit the issuance of special event permits and temporary game day permits involving alcoholic beverage sales for establishments in violation of the underage prohibition order in Chapter 4, Article III, City Code of Ordinances.
Planning Division staff recommends approval of Petition PB-12-60 TCH.

Planning Manager Ralph Hilliard gave staff presentation regarding the petition and the Underage Prohibition Ordinance. Captain Ed Posey of GPD was introduced and he further explained the Underage Prohibition Ordinance and the reasons for bringing this issue to the City Commission. Captain Posey indicated that officers working UF game day events ask the question why does the City allow establishments under the prohibition order to expand their boundaries for alcoholic beverage sales, and that's why the petition was brought forward.

Ryan Prodosky representing 101 Management Group (101 Cantina and 101 Downtown) gave a power point presentation indicating that there is no need for the additional regulation because the current ordinance is working as a deterrent for businesses. Mr. Prodosky also presented information on the economic impact of the Underage Prohibition Ordinance on the 101 Management Group establishments.

Attorney Cary Meldon representing 101 Management Group gave a power point presentation. Attorney Meldon talked about the purpose of the Underage Prohibition Ordinance and indicated that it is working and therefore there is no need for additional regulations. Attorney Meldon also questioned the legal basis and the need for the additional regulations.

The board chair closed the public hearing portion of the item and the board members debated the merits of the petition. Some members question the need for the petition if the current ordinance is working; other members indicated they could go either way on the petition. The Board voted 5-0 to deny the petition with a recommendation that the City Commission place a 21 year old age restriction on special event permits for establishment with an underage prohibition order during operating hours of the special event area.

Motion By: Stephanie Sims	Seconded By: Peter Johnson
Moved To: Deny the petition, with a recommendation that the City Commission place a 21 year old age restriction on Special Event Permits for establishment with an underage prohibition order during operating hours of the special event area.	Upon Vote: 5 - 0