
CITY OF OCALA

CITY COUNCIL REPORT

Council Meeting Date: 04/05/2022

Subject: Alcoholic Beverage Location Permit

Submitted By: Patricia Z. Hitchcock, AICP, Planning and Zoning Manager

Department: Growth Management

MEETS THE FOLLOWING CITY COUNCIL OBJECTIVE: Necessary Administrative Process

Staff Recommendation: Staff Recommendation (Motion Ready): Approve the sale of beer and wine for on-premise consumption of beer and wine for Pro Nails of Ocala, LLC d/b/a Pro Nails at 5400 SW College Rd #107. (Quasi Judicial)

BACKGROUND:

- **Applicant:** Pro Nails of Ocala, LLC d/b/a Pro Nails
- **Property Owner:** Heathbrook Station, LLC
- **Address:** 5400 SW College Rd #107
- **Building area:** 2100 square feet
- **Seats / employees:** 20 seats / 8 employees
- **Required parking:** 14 spaces
- **Provided parking:** 50 spaces
- **Outside Sound:** No
- **Police Presence:** There have been Four Hundred and Fifty Five (455) calls for service at this location during the past two years. Fourteen (14) were criminal in nature.
- **Reason:** New location – no previous location permit
- **Request:** 2COP - The purpose of this permit is to allow the sale of beer and wine for on-premise consumption for Pro Nails of Ocala, LLC d/b/a Pro Nails. The hours will be Sunday-Saturday 9:00 a.m. to 7:00 p.m.. (*Sec. 6-5 limits the hours and times during which alcoholic and intoxicating beverages may be sold, consumed or served, or permitted to be served or consumed, in any place or on any premises defined as a business establishment as follows: for each day of the week except Sunday, between the hours of 7:00 a.m. and 2:00 a.m. the following days. On Sunday, Alcoholic beverages may be sold for consumption on the premises only, between the hours of 11:00 a.m. on Sunday and 2:00 a.m. on Monday; and beer, ale and wine may be sold in sealed containers for consumption off the premises only, between the hours of 7:00 a.m. on Sunday and 2:00 a.m. on Monday.*)
- Staff requested comments from the Engineering, Growth Management, Police, and Fire Departments and requested legal review by the City Attorney.

FINDINGS:

Proximity to schools, churches, day care centers: There is one church within the 500' radius:

- Our Redeemer Lutheran Church

Proximity to other Alcohol Beverage Establishments: There are three within the 500' radius:

- Milano Italian Restaurant – 4COP-SFS
- Liquors of Ocala – 3PS
- Publix Super Markets #0856 – 2APS

Site Inspection: In compliance.

CONCLUSIONS: *In accordance with Section 6-32(d), any location permit approved by city council shall initially be provisional for a period of 3 months which upon the request of the applicant can be extended an additional 3 months. During this provisional period the permit holder must provide to the building department a copy of the vendor's state issued alcoholic beverage license. If no license is filed during this provisional period, or if the name on the state issued license is not the same as the name of the permit holder, then the permit shall be automatically voided and of no legal effect, otherwise it shall become fully issued.*

FISCAL IMPACT: N/A

LEGAL REVIEW: The application has been reviewed and approved for form and legality by the City Attorney, Robert Batsel, Jr.

ALTERNATIVE:

- Approve
- Deny
- Table
- If the City's alcoholic beverage location permit is not approved, the state will not issue a license and alcohol beverage sales will not be permitted.

ADDITIONAL SUPPORT MATERIALS AVAILABLE UPON REQUEST:

Application, legal documents and photos for Case #1003999.