

From the Mid City Messenger

<http://midcitymessenger.com/2014/10/14/half-shell-oyster-bar-wins-preliminary-approval-for-alcohol-sales/>

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The new Half Shell Oyster Bar on Esplanade Avenue gained unanimous approval for alcohol sales from the City Planning Commission on Tuesday afternoon, after a brief discussion that centered on music played for outdoor seating in the area.

The Half Shell began the meeting with a positive recommendation from the City Planning Commission staff, and a good-neighbor agreement with the Faubourg St. John Neighborhood Association. When planning commissioners asked owner Marc Lawes if he had any issue with the conditions being suggested by the city staffers, Lawes replied that he didn't care for the prohibition against playing music for his outdoor diners.

His speakers are small and barely audible from more than a few feet from the building, he said — and meanwhile, every other restaurant nearby has the same music.

"I'm the only one that they're making not have it," Lawes said. "You can't hear it three feet past the building. It's jazz and it's played very low."



*Marc Lawes, owner of the Half Shell on Esplanade Avenue, speaks before the City Planning Commission on Tuesday. (image via nola.gov)*

Staff members said the prohibition was a standard part of requests for alcohol sales, and that they hadn't investigated whether other restaurants nearby play music. It's not unusual for restaurants with outdoor seating, said Arlen Brunson of the planning commission, but some neighborhoods object to it.

"That sound can project quite a ways into the neighborhood," Brunson said.

Steve Mardon, chair of the Faubourg St. John Neighborhood Association zoning committee, said the Half Shell's music wasn't an issue for neighbors when they negotiated their agreement with Lawes.

"The restaurants have little tiny speakers that just pipe in some background music," Mardon said. "Very few people have a problem with that."

One resident, however, said she was concerned that any additional alcohol sales would cause an increase in crime.

"Putting liquor on the street, I feel like, is only putting more crime on that street," said Sylvia Cooper, who said she'd lived in her home 73 years. "We don't want our neighborhood to look like Chef Menteur Highway or Hayne Boulevard, where they have people all outside."

Lawes replied most of his children work in law enforcement, and that police are eating at his restaurant at nearly every meal.

Ultimately, Commissioner Robert Steeg proposed allowing Lawes to project his music outside the restaurant, but only in the front toward Esplanade Avenue and for no more than six feet. That way, he said, it will be fine for diners, but won't affect the neighbors.

"There's a huge parking lot in the front of the building," Steeg said. "If it was projected a very short distance from the front, I'm comfortable that nobody from the sidewalk or passing by would hear it."

Steeg's motion passed by an 8-0 vote. The recommendation from the City Planning Commission will next be heard by the full City Council.