

AGENDA ITEM TITLE: Renewal Application for 2018 Alcoholic Beverage License (Eating Establishment)

AGENDA DATE: February 1, 2018

CODE CASE #: 034-18

DATE OF INSPECTION: January 2, 2018

COMMERCIAL BUSINESS: Rue De Jean Associates, LLC

ADDRESS: 605 West Oglethorpe Ave

PMD CODE VIOLATIONS: 304.3 (Premises Identification)

COMMENTS: Buildings shall have approved address numbers places in a position to be plainly legible and visible from the street or road fronting the property.



COMMENTS: **Property Reinspected 1/17/2018** – Violations have been corrected.





MEMORANDUM

TO: David Maxwell, CFO
FROM: Tiras Winn Petrea, Principal Zoning Inspector
Cc: Judee Jones, Revenue Administrator; Sergeant Shinita Young, SCMPD's Alcohol Beverage Compliance Unit
DATE: January 16, 2017
SUBJECT: Zoning Review of Alcoholic Beverage License Request

In reference to the application of **John G. Curry, T/A Embassy Suites**, requesting an alcoholic beverage license at **605 West Oglethorpe Avenue**, I have determined that the **Proposed Use, Hotel with Restaurant that sells alcohol/Cocktail Lounge/Bar**, within the current **B-C Zoning District**:

- ☐ Is Not Permitted
- ☐ Requires Special Use Approval by the Zoning Board of Appeals
- ☐ Is Permitted as a Nonconforming Use
- ☐ Is Permitted with the Following Condition(s):
- ☒ **Is Permitted by Right**

Additionally, I have determined that the **Proposed Use**:

- ☒ **Is an Existing use/occupancy, but new ownership, management or request.**
- ☐ Is a New use/occupancy that requires the issuance of a Certificate of Occupancy prior to issuance of the Alcoholic Beverage License.

Tiras Winn Petrea

Tiras Winn Petrea
Principal Zoning Inspector

Judee Jones

From: Clara Fishel
Sent: Thursday, January 11, 2018 1:39 PM
To: Melinda Allen
Cc: Judee Jones
Subject: RE: Alcohol License Applications: Feb 1, 2018

Dear Ms. Allen,

Please be advised of another establishment that has requested application for a *transfer* of an alcoholic beverage license in your neighborhood.

MCDONOUGH'S RESTAURANT & LOUNGE, 21 E. MCDONOUGH STREET

The hearing for this license application will take place at the meeting of City Council at 2:00 pm, Thursday, February 1, 2018 in the Council Chambers, second floor of City Hall.

Please let me know that you have received this notification and of any questions or concerns you may have regarding this license application.

Thank you,
Clara

From: Clara Fishel
Sent: Tuesday, January 02, 2018 9:29 AM
To: 'Melinda Allen'
Cc: Judee Jones
Subject: Alcohol License Applications: Feb 1, 2018

Dear Ms. Allen,

This e-mail is to advise you of the following establishments that have requested applications for a new, renewal, or transfer of an alcoholic beverage license in your neighborhood:

THE PORTAL, 408 W BROUGHTON ST
39 RUE DE JEAN (EMBASSY SUITES), 605 W OGLETHORPE AVE
DRESSER PALMER HOUSE, 209-11 GASTON ST
JOE'S CRAB SHACK, 504 E RIVER ST

The hearing for these license applications will take place at the meeting of City Council at 2:00 pm, Thursday, February 1, 2018 in the Council Chambers, second floor of City Hall.

Please let me know that you have received this notification and of any questions or concerns you may have regarding these license applications.

Thank you and Happy Holidays!
Clara



CITY OF SAVANNAH REVENUE DEPARTMENT

ALCOHOLIC BEVERAGE LICENSE MEASUREMENT REPORT

Type Application: **Renewal**

Council Date:

February 1, 2018

Petition Number:

Name of Applicant: **John Curry**

Name of Establishment: **Embassy Suites**

Address/Location: **605 W Oglethorpe Ave**

Nearest Cross Streets: **Fahm St and Papy St**

Type of License: ☒ Beer: ☒ by the drink ☐ package ☐ Sunday Sales
☒ Wine: ☒ by the drink ☐ package
☒ Liquor: ☒ by the drink ☐ package

Date Sign Posted:

Reviewed by **Judee Jones, Deputy City Marshal**

Date Reviewed: **1/19/18**

Reviewed by **David Maxwell CFO, Interim Revenue Director**

Date Reviewed: **1-23-18**

MEASUREMENTS

- ☒ This establishment is in compliance with all distance requirements.
☐ This establishment is NOT in compliance with all distance requirements, as described:

Measured by: **Katrina Myers**
ABC Investigator

Date Measured: **1/10/2018**

Done by: ☒ Odometer ☐ Roller Tape

☐ **LIQUOR - PACKAGE**

Church, School Building, Educational Building, School Grounds, College Campus, or Package Store

Measure from the establishment's *primary entrance* to the *primary entrance* of a church, school building, educational building, school grounds, college campus, or existing package store *along a straight line which is the shortest distance between the two property lines* [O.C.G.A 2-2-12 (d)(1)] [licenses issued after April 13, 1979].

Nearest church and location-

Minimum distance: 100 yards. Measured distance _____ yards In compliance? ☐ Yes ☐ No

Nearest school building, educational building, school grounds, or college campus and location-

Minimum distance: 200 yards. Measured distance _____ yards In compliance? ☐ Yes ☐ No

Nearest package store and location -

Minimum distance: 500 yards. Measured distance _____ yards In compliance? ☐ Yes ☐ No

Alcohol Treatment Center

Measure from the establishment's *primary entrance* to the *primary entrance* of an alcohol treatment center owned and operated by the state, county, or city by *the most direct route of travel on the ground*.

Nearest alcohol treatment center and location -

Minimum distance: 100 yards. Measured distance _____ yards In compliance? ☐ Yes ☐ No

☐ **BEER/WINE - PACKAGE**

School Building, Educational Building, School Grounds, or College Campus

Measure from the establishment's *primary entrance* to the *property line* of a: school building, educational building, school grounds, or college campus by *the most direct route of travel on the ground*.

Nearest school building, educational building, school grounds, or college campus and location-

Minimum distance: 100 yards. Measured distance: _____ yards In compliance? ☐ Yes ☐ No

Alcohol Treatment Center

Nearest church building and location- **St. Mark Baptist Church 67 Louisville Rd**

Minimum distance: 100 yards. Measured distance: **545 yards** In compliance? ☒ Yes ☐ No

Nearest school building, educational building, school grounds, or college campus and location- **Garrison Elementary School 649 W Jones St.**

Minimum distance: 200 yards. Measured distance: **932 yards** In compliance? ☒ Yes ☐ No

"College campus" does not apply to college grounds, stadiums, or recreational areas.

Nearest school grounds and location -

Minimum distance: 200 yards. Measured distance- yards In compliance? ☐ Yes ☐ No

"School grounds" means the property line of the tract on which the school is located.

Nearest alcohol treatment center and location- **Georgia Regional Hospital 1915 Eisenhower Drive**

Minimum distance: 100 yards. Measured distance: **14,027 yards** In compliance? ☒ Yes ☐ No

☒ **BEER AND/OR WINE - BY THE DRINK FOR CONSUMPTION ON THE PREMISE**

School Building, School Grounds, College Campus, or Alcohol Treatment Center

Measure by the most direct route of travel on the ground FROM the establishment's front door in a straight line to the nearest public sidewalk, walkway, street, road or highway, along such public way by the nearest route TO the front door of the nearest school building, educational building, or alcohol treatment center, and to the nearest portion of the nearest school grounds.

Nearest school building, educational building, school grounds, or college campus and location- **Garrison Elementary School 649 W Jones St.**

Minimum distance: 100 yards. Measured distance: **932 yards** In compliance? ☒ Yes ☐ No

"School grounds" means the property line of the tract on which the school is located.

"College campus" does not apply to college grounds, stadiums, or recreational areas.

Nearest alcohol treatment center owned and operated by the state, county, or city and location- **Georgia Regional Hospital 1915 Eisenhower Drive**

Minimum distance: 100 yards. Measured distance: **14,027 yards** In compliance? ☒ Yes ☐ No

No distance requirements apply to churches for beer/wine by the drink for consumption on the premises.

EXEMPTIONS: No distance requirements for liquor, beer or wine sold by the drink for consumption on the premises apply to the following:

1. Hotels of fifty rooms or more which have been in continuous operation for a period of at least five years preceding July 1, 1981
2. Hotels of less than fifty rooms for the retail sale of alcoholic beverages solely to occupants of the hotel and their guests by the drink for consumption only on the premises
3. A private social club which is open only to its members and their guests and not to the general public, which does not advertise for or solicit patrons, which has an operating dining room as an integral part of its facilities, which dispenses alcoholic beverages solely to club members or their guests by the drink for consumption only on the premises
4. A restaurant that sells alcoholic beverages as a part of the meal or to restaurant patrons waiting for a table to be served a meal in a public place, licensed as a restaurant, and kept, maintained, advertised, and held out to the public as a place where meals are served and where meals are actually and regularly served, such place being provided with adequate and sanitary kitchen and dining room equipment and seating capacity of at least forty people, having employed therein a sufficient number and kind of employees to prepare, cook, and serve suitable food for its guests with the serving of alcoholic beverages to be consumed on the premises as only incidental thereto.
5. Colleges within the Historic District or the Victorian District (Savannah River to 37th Street, East Broad Street to MLK Boulevard) when the premises are zoned to allow such use **In Historic/Victorian District? NO**

ATTACH A DIAGRAM OF THE ESTABLISHMENT'S LOCATION IN RELATION TO THE IDENTIFIED SITES.

Diagram attached? **NO**



SAVANNAH CHATHAM POLICE METROPOLITAN

Chief Joseph H. Lumpkin, Sr.

TO: Rob Hernandez, City Manager
FROM: Joseph H. Lumpkin Sr., Chief of Police
DATE: January 17, 2018
SUBJECT: 605 West Oglethorpe Avenue / 39 Rue De Jean (Embassy Suites)

The purpose of this memorandum is to submit recommendations effective 01/17/2018. The following information is being supplied on an official basis concerning the New Alcohol Beverage License application to **Mr. John G. Curry** pertinent records of the Georgia Crime Information Center and local agencies have been searched as of this date with the following results: (Only that information which would bear upon this application is recorded.)

SAVANNAH-CHATHAM METROPOLITAN POLICE DEPARTMENT

No Record

GEORGIA CRIME INFORMATION CENTER

Record on File

In reference to the petition for **Mr. John G. Curry** requesting **Class C (Retail Dealer On-premises Consumption: Distilled Spirits, Malt Beverage, Wine) and Sunday Sales** at 605 West Oglethorpe Avenue, T/A "39 Rue De Jean(Embassy Suites)", I submit the following:

Mr. John G. Curry's fingerprints are on file. It should be noted there are no disqualifying criminal records. Applicable criminal records or incidents concerning this location under the listed name and/or business are not on file. Savannah-Chatham Metropolitan Police Department has no reason(s) for recommending denial of this petition.

Joseph H. Lumpkin Sr., Chief of Police
Savannah Chatham Metropolitan Police Department



SAVANNAH CHATHAM METROPOLITAN POLICE

Chief Joseph H. Lumpkin, Sr.

TO: David Maxwell, CFO

THRU: David Gay, Captain

FROM: Shinita Young, ABC Unit Sergeant

DATE: January 16, 2018

SUBJECT: 605 West Oglethorpe Avenue / 39 Rue De Jean (Embassy Suites)

The purpose of this memorandum is to submit recommendations effective 1/16/2018. The following information is being supplied on an official basis concerning the Transfer of an Alcohol Beverage License application for **John G. Curry**. A security plan has been submitted by the applicant and reviewed by Savannah-Chatham Metropolitan Police Department.

The security plan was examined to ensure it properly addresses all mentioned concerns in the City of Savannah's 2017 Alcohol Beverage Ordinance, Section 6-1206, Subsection D, Paragraph 4, Items A-I, as applicable.

In reference to the petition for **John G. Curry** requesting a **Class C (Retail Dealer, Distilled Spirits, Malt Beverage, Wine) and Sunday Sales** permit at 605 West Oglethorpe Avenue, T/A "39 Rue De Jean (Embassy Suites)", I submit the following:

John G. Curry's Security Plan has been reviewed. It should be noted the Security Plan addresses all applicable concerns as set forth by the governing sections of the City of Savannah's 2017 Alcohol Ordinance. The Savannah-Chatham Metropolitan Police Department has no reason(s) for recommending denial of this Security Plan.

A handwritten signature in blue ink, appearing to read "Shinita Young", is written over a horizontal line. To the right of the signature, the date "1-15-18" is handwritten.

Shinita Young, ABC Unit Sergeant
Savannah-Chatham Metropolitan Police Department

RUE DE JEAN

Classification: Alcohol

License Class	Classification	Distilled Spirits	Malt Beverage	Wine	License Fee
Class A	License Alcohol Caterer	1 <input type="checkbox"/> <small>(A1 is incompatible with Class E, F and G uses)</small>	2 <input type="checkbox"/> <small>(A2 is incompatible with Class E, F and G uses)</small>	3 <input type="checkbox"/> <small>(A3 is incompatible with Class E, F and G uses)</small>	_____
Class B	Manufacturer <small>(Brewer = B2)</small>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	_____
Class C	Retail Dealer <small>(On-premise Consumption)</small>	1 <input checked="" type="checkbox"/>	2 <input checked="" type="checkbox"/>	3 <input checked="" type="checkbox"/>	5600.00
Class D	Retail Package Store <small>(Off-premise consumption)</small>	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	_____
Class E	Ancillary Retail Package Store	X	2 <input type="checkbox"/>	3 <input type="checkbox"/>	_____
Class F	Wholesaler	1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	_____
Class G	Complimentary Service	X	2 <input type="checkbox"/>	3 <input type="checkbox"/>	_____
Class H	Samples	X	2 <input type="checkbox"/>	3 <input type="checkbox"/>	_____
Class I	Underage Permit	_____	_____	_____	_____
Sunday Sales		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			\$ 200.00

TOTAL ANNUAL LICENSE FEE: \$ 5800.00

Is the business an eating establishment? ☒ Yes ☐ No. If yes, City restaurant license number _____
 Will alcoholic beverages be dispensed on SUNDAY? ☒ Yes ☐ No
 If yes, a separate Sunday sales affidavit must be submitted. Affidavit attached? ☐ Yes ☐ No
 Is the business a package establishment? ☐ Yes ☒ No If yes, City Business Tax Number _____

"If at any time the Revenue Department has reason to believe that the dominant business activity has changed or has been misreported, or that the gross receipts bracket has changed or has been miscalculated or misreported, the Revenue Department may require the owner, operator, or an officer of such business to submit an affidavit setting forth under oath the dominant business activity and gross receipts bracket determined according to this Article. The Revenue Department shall have authority to require any business to provide a copy of the page or section of its Federal and/or State income tax return which shows gross income of the business, and to require that the owner, operator or an officer of the business certify under oath that such copy is true and correct. Any such required information shall be limited to that which discloses gross business income and any adjustments made to calculate the gross receipts reported to the City for business tax purposes. The Revenue Department shall have authority to require any business to provide a statement from a licensed and practicing Public Accountant (who is not an employee of the business), such statement to set forth and certify the gross receipts, upon which the business tax is based, along with a full and complete explanation of any adjustments to gross receipts.

Acknowledgement

The applicant for a license to dispense alcoholic beverages shall be (a) a citizen of the United States of America or Resident Alien, (b) a resident of Chatham County, Georgia, or if not, the designated manager with day-to-day operating responsibility must be a resident of Chatham County, and (c) the owner of the business, or if the owner of the business is a corporation, partnership, or other legal entity, the applicant shall be (1) a substantial and major stockholder or (2) the manager of the business who regularly operates and supervises the business on the licensed premises.

ALL ABOVE INFORMATION IS FULLY UNDERSTOOD AND ALL STATEMENTS SHOWN ABOVE, AND ON ANY ATTACHMENTS ARE GIVEN UNDER OATH, WILLFULLY, KNOWINGLY, AND ABSOLUTELY, AND ARE HEREBY SWORN TO BE TRUE, CORRECT AND COMPLETE, UNDER PENALTY FOR FALSE SWEARING AS PROVIDED BY LAW.

Applicant's Signature

Sworn to and subscribed before me this
28 day of December, 2017
Quinn M Jones
 NOTARY PUBLIC
 Chatham County, GEORGIA
 My Comm. Expires 07/13/2021

Date signed by Applicant

OFFICE USE ONLY

Date Received: 12.28.17 License Fee: \$ 5800.00
 PIN Number: _____ Application Fee: \$ 350.00
 Classification: Retail Beer, Wine, Liquor - DK-SS Advertising Fee: \$ 15.00
 Health Department: ☒ Approval ☐ Disapproval ☐ N/A Sign Fee: \$ _____
 Inspector Initial: KS Total Due: \$ 6165.00

Application Reviewed by: Jones Date Review: 12/29/17 Council Date: _____

Comments: _____

**OFFICE OF THE CLERK OF COUNCIL
ALCOHOLIC BEVERAGE LICENSE HEARING
PUBLIC HEARING NOTICE**

Notice is hereby given that John G. Curry for Rue De Jean Associates, LLC t/a 39 Rue De Jean (Embassy Suites), is requesting to transfer liquor, beer/wine (drink) license with Sunday sales from John Massey at 605 West Oglethorpe Avenue, which is located between Fahm Street and Papy Street in District 1. The applicant plans to continue to operate as a full-service restaurant. (New management/existing business), will be heard at the meeting of City Council at 2:00 pm, Thursday, February 1, 2018 in the Council Chambers, second floor of City Hall.

Anyone objecting to the issuance of this license may appear at that time and be heard.

City of Savannah
Luciana M. Spracher
Acting Clerk of Council

SAVANNAH MORNING NEWS
SPECIAL NOTICE COLUMN

Please insert the above notice in the SPECIAL NOTICE column of the Savannah Morning News: Wednesday, January 24, 2018.

Please let the City's Purchasing Department have two copies of the affidavit of publication.

OFFICE OF THE CLERK OF COUNCIL

Legal notice emailed to Purchasing to be forwarded to Savannah Morning News:
Monday, January 22, 2018.

(THIS SIDE FOR OFFICE USE ONLY)

REPORT

Petition No. 180010

Filed January 5 20 18

The Department, to Which the Petition
Was Referred, Reports:

Notice: "Be advised that the City of Savannah, as a Municipal Corporation, Chartered under the Laws of the State of Georgia in some injury or damage cases, such as damages caused by defects in streets and sidewalks and the sewer system, is not liable unless it first had knowledge of the defect causing the injury and thereafter failed to correct the defect. In most cases, the City has no notice of defects until the initial injury occurs and in such cases, the City is not liable and such petitions may be denied. You, nevertheless, have the right as a citizen to present your petition and have it investigated and resolved and/or heard by the Mayor and Aldermen." The stature of limitation for filing a claim against the City is six (6) months.

Clerk of Council

PETITION

John Curry

39 Rue De Jean (Embassy Suites)

605 West Oglethorpe Ave.

Savannah, GA 31401

Requesting

To renew liquor, beer, and wine (drink)
license with Sunday sales.

Department Head

Be it resolved By the Mayor and
Aldermen of the City of Savannah in
Council assembled that the above
report be and the same is hereby
adopted.

In Council _____ 20 _____

Certified _____

Referred to Revenue

Clerk of Council

City Manager