AGENDA ITEM TITLE: Alcoholic Beverage License: Pavan Pitra Enterprises INC.

dba Broughton Street Liquor

AGENDA DATE: 21 November 2017

CODE CASE #: N/A

DATE OF INSPECTION: 26 October 2017

COMMERCIAL BUSINESS: Broughton Street Liquor

ADDRESS: 414 West Broughton Street, Savannah GA

PMD CODE VIOLATIONS: None

COMMENTS: N/A
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: November 13, 2017
SUBJECT: Zoning Review of Alcoholic Beverage License Request

In reference to the application of Dhaaval Patel, T/A Broughton Street Liquor, requesting an alcoholic beverage license at 414 West Broughton Street, on October 31, 2017, the Zoning Administrator denied the Proposed Use, Retail Liquor/Package Store, within the current B-C-1 Zoning District because it:

☑ Is Not Permitted within the boundaries of the Urban Renewal Plan for the Broughton Street Redevelopment Project. See attached October 31, 2017 letter.
☐ 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 similar to the Existing Convenience Store that sells beer and wine by the package and does not require the issuance of a Certificate of Occupancy, but is new ownership or management. However, the same request for a Package Store was denied on May 21, 2015 by a previous Zoning Administrator, whose denial was upheld by the Zoning Board of Appeals on July 23, 2015.
☐ 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
Principal Zoning Inspector

Revised Date: June 16, 2017

Alcoholic Beverage License Memo

5515 ARBOR CORN ST, P.O. BOX 1027, SAVANNAH, GA. 31402
PHONE 912.651.6830   TDD 912.651.6702   FAX 912.651.6543   SAVANNAHGA.GOV

17-006216-ABL
CITY OF SAVANNAH
REVENUE DEPARTMENT
ALCOHOLIC BEVERAGE LICENSE MEASUREMENT REPORT

Type Application: NEW  Council Date: November 21, 2017  Petition Number:

Name of Applicant: Dhaval Patel

Name of Establishment: Broughton Street Liquor

Address/Location: 414 West Broughton Street

Nearest Cross Streets: Martin Luther King Boulevard and Montgomery Street

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

Date Sign Posted: 11/07/2017

Reviewed by Judee Jones, Deputy City Marshal

Reviewed by David Maxwell, CFO

Date Reviewed: II. 01. 17

Date Reviewed: 11-10-17

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

Measured by: Megan Edwards, ABC Investigator
Savannah Chatham Metropolitan Police Department

Date Measured: 11/07/2017  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 the 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: First African Baptist Church 23 Montgomery St

Minimum distance: 100 yards. Measured distance 176 yards In compliance? ☐ Yes ☐ No

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

Veritas Academy 25 W Oglethorpe Ln

Minimum distance: 200 yards. Measured distance 704 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: Georgia Regional Hospital 1915 Eisenhower Dr.

Minimum distance: 100 yards. Measured distance 14600 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

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
Liquor - By the Drink for Consumption on Premises

Church, School Building, Educational Building, College Campus, Alcohol Treatment Center, School Grounds

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 church building, school building, educational building, college campus, or alcohol treatment center owned and operated by the state, county, or city, OR to the nearest portion of the nearest school grounds, whichever is applicable.

Nearest church building and location:

Minimum distance: 100 yards. Measured distance: [ ] In compliance? [ ] Yes [ ] No

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

Minimum distance: 200 yards. Measured distance: [ ] 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: [ ] 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:

Minimum distance: 100 yards. Measured distance: [ ] In compliance? [ ] Yes [ ] No

Beer and/or Wine - By the Drink for Consumption on the Premises

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:

Minimum distance: 100 yards. Measured distance: [ ] 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:

Minimum distance: 100 yards. Measured distance: [ ] 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
The purpose of this memorandum is to submit recommendations effective 11/07/2017. The following information is being supplied on an official basis concerning the Original Alcohol Beverage License application of Mr. Dhaval Patel 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
No Record

In reference to the petition for Mr. Dhaval Patel requesting Class D (Retail Package Store Off-premises Consumption: Distilled Spirits and Sunday Sales) at 414 West Broughton Street, T/A “Broughton Street Liquor”, I submit the following:

Mr. Dhaval Patel’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
TO: David Maxwell, CFO
FROM: DeVonn Adams, Major
DATE: November 7, 2017
SUBJECT: 414 West Broughton Street / Broughton Street Liquor

The purpose of this memorandum is to submit recommendations effective 11/07/2017. The following information is being supplied on an official basis concerning adding items the Original Alcohol Beverage License application of Dhaval Patel. 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 Dhaval Patel requesting a Class D (Retail Package Store, Distilled Spirits) and Sunday Sales permit at 414 Broughton Street, T/A “Broughton Street Liquor”, I submit the following:

Dhaval Patel’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.

DeVonn Adams, Major
Savannah-Chatham Metropolitan Police Department
<table>
<thead>
<tr>
<th>Class</th>
<th>Classification</th>
<th>Distilled Spirits</th>
<th>Main Beverages</th>
<th>Ware</th>
<th>License Fee</th>
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<tr>
<td>Class A</td>
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<td>Class B</td>
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**Annual License Fee:** $850.00

As the business establishment entity, I hereby certify that the above information is true and correct.

Date: 10/18/2017

Notary Public and Seal

[Signature]

[Notary Public]

[Seal of Georgia]

[Commission, Signed Mar. 7, 2010]
OFFICE OF THE CLERK OF COUNCIL
ALCOHOLIC BEVERAGE LICENSE HEARING
PUBLIC HEARING NOTICE

Notice is hereby given that Dhuval Patel for Pavan Putra Enterprises, Inc. t/a Broughton Street Liquor, requesting to add liquor (package) license to existing beer and wine (package) license at 414 West Broughton Street, which is located between Martin Luther King Boulevard and Montgomery Street in District 2. The applicant plans to change operation from convenience store to a package store. (New request/existing business) will be heard at the meeting of City Council at 2:00 pm, Tuesday November 21, 2017 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
Dyanne C. Reese
Clerk of Council

SAVANNAH MORNING NEWS
SPECIAL NOTICE COLUMN

Please insert the above notice in the SPECIAL NOTICE column of the Savannah Morning News Tuesday November 14, 2017.

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 November 13, 2017.
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 statute of limitation for filing a claim against the City is six (6) months.

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PETITION

Dhaval Patel  
Pavan Putra Enterprises Inc  
414 W. Broughton St  
Savannah, Ga 31401

Requesting
Liquor License (package) to be added  
to existing license for Pavan Putra Enterprises Inc, t/a Broughton Street  
Liquor at 414 W. Broughton Street in District 2

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  
Certified  

Clerk of Council

City Manager
October 31, 2017

Dhaval Patel
214 Tahoe Dr
Pooler GA 31322
broughtonmarket@gmail.com

RE: Disapproval Letter
Alcoholic Beverage License – Retail Liquor/Package Store
414 W Broughton St

Mr. Patel:

I have completed the review of your Application for Alcoholic Beverage License to establish Broughton Street Liquor as a Retail Liquor/Package Store at 414 W Broughton St.

414 W Broughton St is within the overlay boundaries of the Urban Renewal Plan for the Broughton Street Redevelopment Project adopted by the Mayor and Aldermen of the City of Savannah on June 5, 1986, as amended. The Mayor and Aldermen adopted this Urban Renewal Plan pursuant to State of Georgia’s Urban Redevelopment Law (O.C.G.A. § 36-61), which recognized that the area met the criteria for blight due to the predominance of vacancies, buildings in disrepair, and lack of interest in investment contributing to economic liability. Therefore, Broughton Street was designated as an Urban Redevelopment Area. Pursuant to O.C.G.A. § 36-61-7(f) and O.C.G.A. § 36-61-8(6)(D), the Urban Redevelopment Law allows specific land use restrictions to be enacted by the Mayor and Aldermen in order to protect Urban Redevelopment Areas.

The Urban Renewal Plan for the Broughton Street Redevelopment Project outlines specific land use provisions which identify preferred, permitted, and prohibited uses in specific sections along Broughton Street. 414 W Broughton St is within the Home Furnishing District between Barnard St and Martin Luther King, Jr. Blvd (formerly W Broad St) (pages 16-17 of the attached document aka pages 12-13 of the Urban Renewal Plan).

The permitted uses on the first floor in the Home Furnishing District are office, retail, restaurants, and lobbies. The Urban Renewal Plan for the Broughton Street Redevelopment Project does not identify a Retail Liquor/Package Store as a permitted use. Therefore, an alcoholic beverage license for a Retail Liquor/Package Store cannot be issued.

In accordance with Sec. 8-3165 Appeals of the City of Savannah’s Zoning Ordinance, you may appeal this decision within 30 days of receipt of this letter.

Sincerely,

Shane Corbin
Zoning Administrator

Page 1 of 1

5515 ABERCORN ST, P.O. BOX 1027, SAVANNAH, GA, 31402
PHONE 912.651.6530 TDD 912.651.6702 FAX 912.651.6543 SAVANNAHGA.GOV