

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 **Dhaval 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

Tiras Winn Petrea
Principal Zoning Inspector



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** *Judee Jones*

Date Reviewed: *11-09-17*

Reviewed by **David Maxwell, CFO:** *David Maxwell*

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 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- **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 **14608** 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

There is no distance minimum to a church for package beer and wine.

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: 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-

Minimum distance: 100 yards. Measured distance -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-

Minimum distance: 100 yards. Measured distance: 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-

Minimum distance: 100 yards. Measured distance: 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: 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 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. 11/09/17 JHL

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



SAVANNAH CHATHAM POLICE

METROPOLITAN

Chief Joseph H. Lumpkin, Sr.

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.

A handwritten signature in blue ink that reads "DeVonn Adams". The signature is written over a horizontal line.

DeVonn Adams, Major
Savannah-Chatham Metropolitan Police Department

Classifications (circle all that apply)

License Class	Classification	Distilled Spirits	Malt Beverage	Wine	License Fee
Class A	License Alcohol Caterer	1	2	3	
Class B	Manufacturer (Brewer = B2)	1	2	3	
Class C	Retail Dealer (On-premises consumption)	1	2	3	
Class D	Retail Package Store (Off-premises consumption)	1	2	3	825.00
Class E	Ancillary Retail Package Store	X	2	3	
Class F	Wholesaler	1	2	3	
Class G	Complimentary Service	X	2	3	
Class H	Samples	X	2	3	
Class I	Underage Permit				
Sunday Sales					

TOTAL ANNUAL LICENSE FEE \$ 3200.00 / 825.00

Is this 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 745120

"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

This applicant for a license to dispense alcoholic beverages is either (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 shareholder and/or officer, partner or (2) the manager of the business who regularly updates and supervises the business on the alcoholic beverages.

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.

Dharal

Sworn to and subscribed before me this

10 Day of October 2017

Amber Kimbrel Notary Public and Seal

AMBER KIMBREL NOTARY PUBLIC Chatham County State of Georgia My Comm. Expires Mar. 7, 2020

Applicant's Signature

10/10/2017

Date signed by Applicant

OFFICE USE ONLY

Date Received 10/10/17

PH Number

Classification

Health Department Approval Disapproval 10/23/17

Application Reviewed by

Date Review

Council Date

Comments

License Fee \$ 825.00

Application Fee \$ 150.00

Advertising Fee \$ 15.00

Sign Fee \$ 5.00

Total Due \$ 995.00

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

Notice is hereby given that Dhaval 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.

Petition No. _____

Filed November 3 20 17

REPORT

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

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., 1/a Broughton Street

Liquor at 414 W. Broughton Street in

District 2

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



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**.

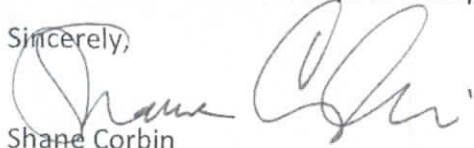
414 W Broughton St is within the overlay boundaries of the **Urban Renewal Plan for the Broughton Street Redevelopment Project** adopted by the Mayor and Aldermen of the City of Savannah on June 5, 1986, as amended. The Mayor and Aldermen adopted this **Urban Renewal Plan** pursuant to State of Georgia's **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