

**AGENDA ITEM TITLE: Alcoholic Beverage License: Fox & Fig dba Fox & Fig;
Jennifer Jenkins**

AGENDA DATE: 7 December 2017

CODE CASE #: N/A

DATE OF INSPECTION: 2 November 2017

COMMERCIAL BUSINESS: Fox & Fig

ADDRESS: 321 Habersham Street, Savannah GA 31401

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 7, 2017
SUBJECT: Zoning Review of Alcoholic Beverage License Request

In reference to the application of **Jennifer Jenkins, T/A Fox & Fig**, requesting an alcoholic beverage license at **321 Habersham Street**, I have determined that the **Proposed Use, Restaurant that sells wine with a full-service meal**, within the current **RIP-A-1 Zoning District**:

- Is Not Permitted
- Requires Special Use Approval by the Zoning Board of Appeals
- Is Permitted as a Nonconforming Use with the Following Conditions(s): Sec. 8-3134(g)**
 - (1) The sale or serving of wine from a sit down restaurant, by the drink, for consumption on the premises, shall be allowed within the RIP-A1 district subject to:
 - i. The restaurant shall front onto a street classified as an arterial or collector on the city street classification map.
 - ii. Wine shall be served and consumed only as part of a full service meal. Alcoholic beverages and malt beer shall be prohibited.
 - iii. Wine sales shall be limited to the hours between 11:00 a.m. and 10:00 p.m. except on Sundays when the beginning service time shall comply with Sec. 6-1212(b) (Sale of Alcoholic Beverages on Sunday), as amended, of the City Code.
 - iv. Wine shall not be sold for take-out consumption.
 - v. No display or advertisement for the sale of wine shall be visible from the exterior of the structure.

- vi. Deliveries and pick-ups shall be accomplished in a manner so as not to block access to adjacent residential properties.
- vii. Pool tables, amusement games and videos, live music that is not acoustical and karaoke shall not be permitted. Loudspeakers and music shall not be permitted on any public property adjacent to the restaurant use.
- viii. Trash and waste generated from the restaurant shall utilize only household trash receptacles. No dumpsters shall be permitted.
- ix. An area dedicated as a bar area or serving as a bar shall not be permitted.
- x. This section shall only apply to existing restaurants that are nonconforming due to zoning map amendment or text amendments. The restaurant building shall not be greater than 2500 square feet and shall not have more than 50 chairs.

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



CITY OF SAVANNAH REVENUE DEPARTMENT

ALCOHOLIC BEVERAGE LICENSE MEASUREMENT REPORT

Type Application: **NEW**

Council Date: December 9, 2017

Petition Number:

Name of Applicant: Jennifer Jenkins

Name of Establishment: Fox & Fig

Address/Location: 321 Habersham Street

Nearest Cross Streets: **East Macon Street and East Harris Street**

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

Date Sign Posted: 11/14/2017

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

Date Reviewed: 11-16-17

Reviewed by **David Maxwell, CFO:**

Date Reviewed: 11-17-17

Judee Jones
David Maxwell

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: 11/14/2017 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-

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

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: **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

"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-

East Broad Street Elementary School, 400 E Broad St, Savannah, GA 31401

Minimum distance: 100 yards. Measured distance: **528 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: **11792 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 15, 2017
SUBJECT: 321 Habersham Street / Fox & Fig

The purpose of this memorandum is to submit recommendations effective 11/15/2017. The following information is being supplied on an official basis concerning the Original Alcohol Beverage License application of Ms. Jennifer Jenkins 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 **Ms. Jennifer Jenkins** requesting **Class C (Retail Dealer On-premises Consumption: Wine) and Sunday Sales** at 321 Habersham Street, T/A "Fox & Fig", I submit the following:

Ms. Jennifer Jenkins' 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. 11/17/17 (DA)

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 14, 2017
SUBJECT: 321 Habersham Street / Fox & Fig

The purpose of this memorandum is to submit recommendations effective 11/14/2017. The following information is being supplied on an official basis concerning adding items the Original Alcohol Beverage License application of **Jennifer Jenkins**. 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 **Jennifer Jenkins** requesting a **Class C (Retail Dealer, Wine) and Sunday Sales** permit at 321 Habersham Street, T/A "Fox & Fig", I submit the following:

Jennifer Jenkin'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 "DeVonn Adams", written over a horizontal line.

DeVonn Adams, Major
Savannah-Chatham Metropolitan Police Department