

**AGENDA ITEM TITLE: RENEWAL OF ALCOHOLIC BEVERAGE LICENSE OF
PUBLIX SUPER MARKETS, INC #1186 FOR KIM ARGENTA**

AGENDA DATE: 1 February 2018

CODE CASE #: 258-18

DATE OF INSPECTION: 17 January 2018

COMMERCIAL BUSINESS: Publix Super Markets Inc. #1186

ADDRESS: 11701 Abercorn St.

PMD CODE VIOLATIONS: There is no violation at the business.

COMMENTS:

- Officer Downs conducted the alcohol license inspection and found no violations.





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 **Kim Argenta, T/A Publix Supermarkets Inc #1186**, requesting an alcoholic beverage license at **11701 Abercorn Street**, I have determined that the **Proposed Use, Supermarket that sells beer and wine by the package**, 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



CITY OF SAVANNAH

REVENUE DEPARTMENT

ALCOHOLIC BEVERAGE LICENSE MEASUREMENT REPORT

Type Application: **Renewal**

Council Date:

February 1, 2018

Petition Number:

Name of Applicant: **Kim Argenta**

Name of Establishment: **Publix Supermarket, Inc #1186**

Address/Location: **11701 Abercorn St.**

Nearest Cross Streets: **Largo Dr. and Mercy Blvd.**

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: **1/9/2018**

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- **Windsor Forest High School**

12419 Largo Dr, Savannah, GA 31419

Minimum distance: 100 yards. Measured distance: **1,337** yards In compliance? ☒ Yes ☐ No

Alcohol Treatment Center

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-

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: January 17, 2018
SUBJECT: 11701 Abercorn Street / Publix Supermarkets, Inc. #1186

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 **Ms. Kim Argenta** 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. Kim Argenta** requesting **Class E (Ancillary Retail Package Dealer, Malt Beverage, Wine)** at 11701 Abercorn Street, T/A "Publix Supermarkets, Inc #1186", I submit the following:

Ms. Kim Argenta 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. 01/19/18

*Deb.
1/17/18*

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

THRU: David Gay, Captain

FROM: Shinita Young, ABC Unit Sergeant

DATE: January 16, 2018

SUBJECT: 11701 Abercorn Street / Publix Super Markets, Inc #1186

The purpose of this memorandum is to submit recommendations effective 1/16/2017. The following information is being supplied on an official basis concerning the Transfer of an Alcohol Beverage License application for **Kim Argenta**. 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 **Kim Argenta** requesting a **Class E (Ancillary Retail Package Store, Malt Beverage, Wine)** permit at 11701 Abercorn Street, T/A "Publix Super Markets, Inc #1186", I submit the following:

Kim Argenta'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", followed by the date "1-15-18".

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

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

Notice is hereby given that Kim Argenta for Publix Supermarket, Inc. t/a Publix #1186, is requesting to transfer beer and wine (package) license from Tonya Kelly at 11701 Abercorn Street, which is located between Mercy Boulevard and Largo Drive in District 6. The applicant plans to continue to operate as a grocery store. (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. 180006

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

Kim Argenta

Publix Supermarket, Inc. 1186

11701 Abercorn St.

Savannah, GA 31419

Requesting

Renew beer and wine (package)
license.

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