

AGENDA ITEM TITLE: APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE TRANSFER (CHANGING LOCATION) for Sweet Potatoes-Stephen Magalias

AGENDA DATE: December 7, 2017

CODE CASE #: 12846-17

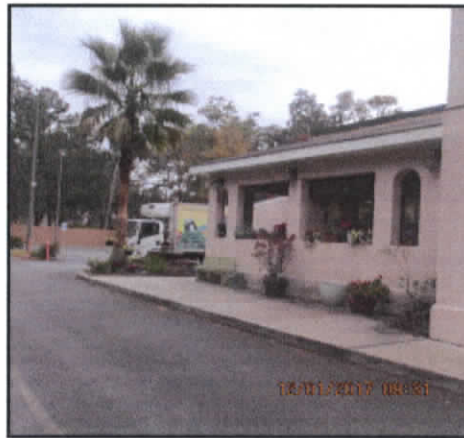
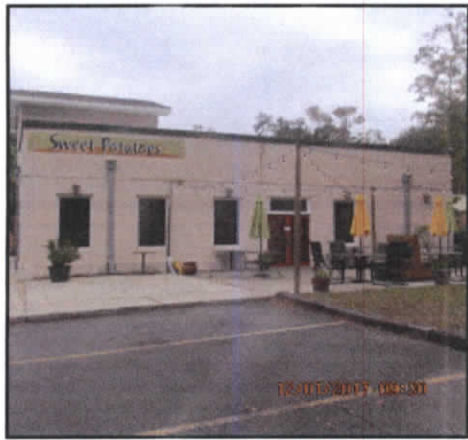
DATE OF INSPECTION: December 1, 2017

COMMERCIAL BUSINESS: Sweet Potatoes

ADDRESS: 531 Stephenson Avenue 2-0490-05-039

PMD CODE VIOLATIONS: None

COMMENTS: No Property Maintenance violations observed





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: December 1, 2017
SUBJECT: Zoning Review of Alcoholic Beverage License Request

In reference to the application of **Stephen Magulias, T/A Sweet Potatoes**, requesting an alcoholic beverage license at **531 Stephenson Avenue**, I have determined that the **Proposed Use, Restaurant, which serves alcoholic beverages with or without a meal**, within the current **PUD-IS-B Zoning District**:

- Is Not Permitted
- Requires Special Use Approval by the Mayor & Aldermen. Approved on September 3, 2015 with conditions.**
- Is Permitted as a Nonconforming Use
- Is Permitted with the Following Condition(s) as Approved by the Mayor & Aldermen:**
1. The sale of beer, wine and spirituous beverages shall be restricted to the hours between 10:00 a.m. and 12:00 midnight.
 2. No beer, wine, or spirituous beverages shall be sold for take-out consumption.
 3. The restaurant kitchen shall be closed by 11:00 p.m. and the restaurant shall be closed by 12:00 midnight.
 4. No display or advertisement for the sale of beer, wine or spirituous beverages shall be visible from outside the structure.
 5. Sound and lighting equipment on the site shall be installed in such a manner that noise and lights from this facility shall not create a nuisance to area residents or to adjoining land uses.
- 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

Revised Date: June 16, 2017

Alcoholic Beverage License Memo

17-006845-ABL

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



SAVANNAH CHATHAM POLICE METROPOLITAN

Chief Joseph H. Lumpkin, Sr.

TO: David Maxwell, CFO
FROM: David Gay, Captain
DATE: December 5, 2017
SUBJECT: 531 Stephenson Avenue / Sweet Potatoes

The purpose of this memorandum is to submit recommendations effective 12/5/2017. The following information is being supplied on an official basis concerning the Transfer of an Alcohol Beverage License application to **Stephen Magulias**. 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 **Stephen Magulias** requesting a **Class C (Retail Dealer, Malt Beverage, Wine)** permit at 531 Stephenson Avenue, T/A "Sweet Potatoes", I submit the following:

Stephen Magulias'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.

D. Gay 12/5/17

David Gay, Captain
Savannah-Chatham Metropolitan Police Department



SAVANNAH CHATHAM POLICE METROPOLITAN

Chief Joseph H. Lumpkin, Sr.

TO: Rob Hernandez, City Manager
FROM: Joseph H. Lumpkin Sr., Chief of Police
DATE: December 6, 2017
SUBJECT: 531 Stephenson Avenue / Sweet Potatoes

The purpose of this memorandum is to submit recommendations effective 12/06/2017. The following information is being supplied on an official basis concerning the Transfer of an Alcohol Beverage License application to **Mr. Stephen Magulias** 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. Stephen Magulias** requesting **Class C (Retail Dealer On-premises Consumption: Malt Beverage, and Wine) and Sunday Sales** at 531 Stephenson Avenue, T/A "Sweet Potatoes", I submit the following:

Mr. Stephen Magulias'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

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- Memorial Day School 6500 Habersham St

Minimum distance: 100 yards. Measured distance: 4,048 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 Dr.

Minimum distance: 100 yards. Measured distance: 4,048 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