

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 **Daniel Stuart Simmons, T/A The Grove**, requesting an alcoholic beverage license at **301 West Congress Street**, I have determined that the **Proposed Use, Restaurant, which serves alcoholic beverages/Tavern/Cocktail Lounge**, within the current **B-C-1 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 under Permit #16-06087-BC prior to issuance of the Alcoholic Beverage License.**

Tiras Winn Petrea

Tiras Winn Petrea
Principal Zoning Inspector

**AGENDA ITEM TITLE: Alcoholic Beverage License: West Congress Street
Savannah Operating, LLC dba The Grove; Daniel Simmons**

AGENDA DATE: 7 December 2017

CODE CASE #: N/A

DATE OF INSPECTION: 18 November 2017

COMMERCIAL BUSINESS: The Grove

ADDRESS: 301 W. Congress Street, Savannah GA 31401

PMD CODE VIOLATIONS: None

COMMENTS: N/A





SAVANNAH CHATHAM POLICE METROPOLITAN

Chief Joseph H. Lumpkin, Sr.

TO: Rob Hernandez, City Manager
FROM: Joseph H. Lumpkin Sr., Chief of Police
DATE: December 4, 2017
SUBJECT: 301 West Congress Street / The Grove

The purpose of this memorandum is to submit recommendations effective 12/04/2017. The following information is being supplied on an official basis concerning the Original Alcohol Beverage License application of Mr. Daniel Stuart Simmons 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. Daniel Stuart Simmons** requesting **Class C (Retail Dealer: Distilled Spirits, Malt Beverage, and Wine) and Sunday Sales** at 301 West Congress Street, T/A "The Grove", I submit the following:

Mr. Daniel Stuart Simmons' 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. 120517

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

D.B.
12/4/17



SAVANNAH CHATHAM POLICE

METROPOLITAN

Chief Joseph H. Lumpkin, Sr.

TO: David Maxwell, CFO
FROM: David Gay, Captain
DATE: December 4, 2017
SUBJECT: 301 West Congress Street / The Grove

The purpose of this memorandum is to submit recommendations effective 12/04/2017. The following information is being supplied on an official basis concerning the Original Alcohol Beverage License application of **Daniel Simmons**. 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 **Daniel Simmons** requesting a **Class C (Retail Dealer, Distilled Spirits, Malt Beverage, Wine) and Sunday Sales** permit at 301 West Congress Street, T/A "The Grove", I submit the following:

Daniel Simmon'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

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

Notice is hereby given that Daniel S. Simmons for West Congress Street Savannah Operating, LLC t/a The Grove, requesting liquor, beer and wine (drink) license with Sunday sales at 301 West Congress Street, which is located between Montgomery Street and Jefferson Street in District 2. The applicant plans to operate a full-service restaurant. (New owner/request/location), will be heard at the meeting of City Council at 2:00 pm, December 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
Luciana 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: Monday, December 11, 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:
Friday, December 8, 2017.



CITY OF SAVANNAH REVENUE DEPARTMENT ALCOHOLIC BEVERAGE LICENSE MEASUREMENT REPORT

Type Application: **NEW** Council Date: December 21, 2017 Petition Number:

Name of Applicant: **Daniel Simmons**

Name of Establishment: **West Congress Street Savannah Operating, LLC DBA The Grove**

Address/Location: **301 West Congress Street**

Nearest Cross Streets: **Montgomery Street and Jefferson Street**

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

Date Sign Posted: 11/28/2017

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

Date Reviewed: *12/7/17*

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

Date Reviewed: *12-7-17*

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: 11/28/2017 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: **First African Baptist Church, 23 Montgomery St, Savannah, GA 31401**

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, Savannah, GA 31401

Minimum distance: 200 yards. Measured distance: **704 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-

Georgia Regional Hospital 1915 Eisenhower Drive

Minimum distance: 100 yards. Measured distance: **14608 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-

Veritas Academy, 25 W Oglethorpe Ln, Savannah, GA 31401

Minimum distance: 100 yards. Measured distance: **704 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: **14608 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**