

## Judee Jones

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**From:** Cynthia D Kennedy <a31tenmsk@comcast.net>  
**Sent:** Thursday, July 1, 2021 2:34 PM  
**To:** D.H.  
**Cc:** Willie Mae Knight; Cynthia Kennedy; toxnard@kw.com; Jerome Elder  
**Subject:** [Caution - External Email] Re: 2021 New Alcoholic Beverage License Application

6/30/2021- Mrs. Knight, please let this second response serve as ECCI's intent regarding Liquor Liscence for "The Pheonix"

PS: Mr. Bathon is not sure he can use this name when the business is opened.

I have spoken to Mr. Bathon regarding our concerns. He is scheduled to bring copy of his signed Good Neighbor Contract and blueprints. We have discussed requested safety precautions, Parking waiver granted via (MPC) and additional support per Mr. Bathon.

(Refer to All concerns previously mentioned in earlier email)

ECCI, asked if first time liquor license monitoring of this new establishment would be done?

We think it would be appropriate just as other new business owners who open clubs and serve liquor are monitored. We did not know if this is still an established practice.

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Mr. Bathon states the safety precautions and neighborhood announcement/ resturant introduction flyers as discussed in our NH meeting will still be distributed to residents.

Hence, The Executive Board of E.C.C.I.(Eastside Concerned Citizens,Inc.), has agreed not to block this request for a liquor license at this time.

The business owner, has participated in neighborhood meetings and has completed The Good Neighbor Contract and in good faith has agreed to address our concerns as promised.

Mr. Bathon, We look forward to receipt of the aforementioned documents for our files this month. (Signed Good Neighbor Contract and courtesy copy of floor plan/ blueprints/ flyer )

Welcome to the ECCI Neighborhood.

Sincerely,  
Cynthia D. Kennedy, President  
ECCI  
Larry Kelly, VP  
ECCI

On Jun 8, 2021 3:22 PM, "D.H." <bathond@gmail.com> wrote:  
Hi all,

Pardon my late response, my spam filter caught this and I didn't read it until today.

Cynthia, I can definitely make the next meeting so please let me know when and where it is. Apologies for missing this last one. It was a pleasure speaking with everyone at the ECCL at the last Zoom meeting.

I also have a printed copy of the Good Neighbor Agreement that I've edited from the boilerplate copy for you and Detric to sign. The signature lines and identifying details for my potential restaurant have been filled in.

Where can I drop off a copy for you to read and sign?

Thanks,  
D.H. Bathon

On Sat, Jun 5, 2021, 06:56 [a31tenmsk@comcast.net](mailto:a31tenmsk@comcast.net) <[a31tenmsk@comcast.net](mailto:a31tenmsk@comcast.net)> wrote:

Thank you for contacting us Ms. Knight. We have a neighborhood meeting today at 11:00 am on Zoom. Mr. Bathon if you can attend that would be great. Please contact Ms. Tammie Kennedy, Executive Director at [912 272 4032](tel:9122724032) today to receive entrance to the Zoom meeting.

Thank You for Careing and Shareing.  
"Together We Can Make a Difference".

*Sent from my T-Mobile 4G LTE device*

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----- Original message-----

**From:** Willie Mae Knight  
**Date:** Fri, Jun 4, 2021 4:18 PM  
**To:** Cynthia Kennedy;a31tenmsk;  
**Cc:**  
**Subject:**2021 New Alcoholic Beverage License Application

Greetings Cynthia Kennedy,

I would like to inform you of a proposed established near or in your neighborhood, The Phoenix located 1006 E. Broad Street has applied for a new Alcohol Beverage License. The City of Savannah understands the importance of a positive working relationship between businesses and the community they serve. For that reason, we encourage new business owners to meet with neighborhood leaders and residents to discuss expectations and the business's plan. As Eastside Concerned Citizens, Inc. President you are free to contact the business owner, Daniel H. Bathon III, [781.710.4496](tel:781.710.4496), [bathond@gmail.com](mailto:bathond@gmail.com) to facilitate that discussion. ATTACHED FOR YOUR INFORMATION IS A COPY OF A DRAFT GOOD NEIGHBOR AGREEMENT.

If you INTEND TO SCHEDULE A MEETING, PLEASE NOTIFY ME WHEN IT HAS BEEN SCHEDULED. IF YOU do not need to meet with the applicant, please respond to this email indicating no meeting is required.

The following 2021 New Alcoholic Beverage License application will go before the Savannah City Council tentatively scheduled for July 22, 2021 .

Company Name	Location
The Phoenix	1006 E Broad Street

Thank You,

Willie Mae Knight

Community Outreach Coordinator

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Office: (912) 651.6520 Ext 8772

Cell: (912) 659.5288

ONE CITY. ONE DIRECTION. FORWARD

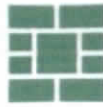
Warning: This email originated outside the City of Savannah. Do not reply, click links, or open attachments unless you are certain you recognize the sender's name, telephone number, and email address. Please report suspicious email to ITSSecurity@Savannahga.Gov



**AGENDA ITEM TITLE: NEW APPLICATION ALCOHOL BEVERAGE LICENSE**

Agenda Date:	7/22
Notification Date from Revenue:	6/30
Business Name:	The Phoenix
Business Address:	1006 E Broad St Savannah GA 31401
Compliant:	YES _____ NO <u>  X  </u>
Code Violations:	<p><b>108.1.3 Unfit for Occupation</b> A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.</p> <p><b>304.2 Protective Treatment</b> All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated, and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.</p>
Code Case #	21-004253
Re-Inspection Date:	06/28/21

Comments:







# MEMO

To: Judee Jones, Revenue Administrator  
From: Candra Teshome, Planning & Zoning Liaison  
Date: June 29, 2021  
Re: Zoning Review of Alcoholic Beverage License Request 21-003287-ABL

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In reference to the application of **Daniel H. Bathon III, T/A The Phoenix**, requesting an alcoholic beverage license at **1006 East Broad Street**, I have determined that the **Proposed Use, Restaurant with Retail consumption dealer (on premise consumption of alcohol)**, within the current **TC-2 Zoning District**:

- ☒ **Is Permitted by Right:** The principal use classifications, *Restaurant with Retail consumption dealer (on premise consumption of alcohol)*, also noted as *Accessory Alcohol Sales by the Drink in Association with a Restaurant* in the zoning ordinance, are allowed by right in the TC-2 zoning district per Article 8 Sec. 8.7.24(b)(i). The parcel is not within the boundaries of an Alcohol Overlay District. Alcohol sales are limited to on-premises consumption only.

*Restaurant* is defined in Sec. 13.2 of the Zoning Ordinance as:

*"An establishment that prepares and serves food and beverages to the public. This use may include table, counter, drive-thru, drive-in, take-away and delivery services either individually or some combination thereof. This term includes ice cream, yogurt, gelato and smoothie shops; bakeries; bagelries; doughnut shops; coffee shops; and, similar establishments. Accessory beer, wine and liquor sales may or may not be permitted as provided in Sec. 8.7.24, Accessory Alcohol Sales. Restaurants deriving more than 50% of its annual gross food and beverage sales from the sale of alcoholic beverages shall be considered a bar, tavern, or nightclub, as applicable. This term does not include catering establishments."*

- ☐ Is Not Permitted.
- ☐ Obtained a Special Use Permit from The Mayor and Aldermen
- ☐ Is Permitted as a Nonconforming Use.
- ☐ Is Permitted as a Limited Use with Standard(s)

Additionally, I have determined that the **Proposed Use**:

- ☐ Is an Existing use/occupancy, but new ownership, management or request.
- ☒ **Is a new use/occupancy.**

Additionally, I have determined that the **Location**:

- ☐ Zoning Ordinance violations that need to be corrected prior to the issuance of the Alcoholic Beverage License.
- ☒ **Submitted a recent Business Location Approval Application on May 28, 2021, per File No. 21-003151-BA that requires a permit.**



# SAVANNAH POLICE

To Serve, Protect and Build Trust

SavannahPD.org

TO: Michael Brown, City Manager

THRU: Robert Gavin, Major  
David Gay, Captain  
Andre Jackson, Lieutenant

FROM: Samantha Stephens, ABC Sergeant

DATE: June 24, 2021

SUBJECT: The Phoenix / 1006 East Broad Street

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The purpose of this memorandum is to submit recommendations effective 06/24/2021. The following information concerns the original Alcohol Beverage License application for **Mr. Daniel Bathon**. Pertinent records of the Georgia Crime Information Center and local agencies have been searched as of this date with the following results:

#### SAVANNAH POLICE DEPARTMENT DISPOSITION

None

#### GEORGIA CRIME INFORMATION CENTER DISPOSITION

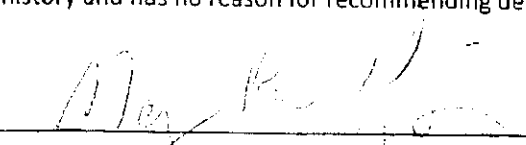
None

#### Warrants

None

The petitioner is requesting **Class C (Retail Dealer, On-Premise Consumption: Distilled Spirits, Malt Beverage and Wine)** and Sunday sales at 1006 East Broad St., T/A "The Phoenix."

**Mr. Daniel Bathon's** fingerprints are on file. There are no disqualifying criminal records. The Savannah Police Department's recommendation for approval or denial is solely based on the applicants' criminal history and has no reason for recommending denial of this petition.

  
Major Robert Gavin, Chief of Police Designee  
Savannah Police Department



# SAVANNAH POLICE

To Serve, Protect, and to Build Trust

SavannahPD.org



**TO:** Theresa Harrison, Director

**THRU:** David Gay, Captain

**FROM:** Andre Jackson, ABC Unit Lieutenant

**DATE:** June 23<sup>rd</sup>, 2021

**SUBJECT:** The Phoenix / 1006 E. Broad St.

The purpose of this memorandum is to submit recommendations effective 06/23/21. The following information is being supplied on an official basis concerning a new Alcoholic Beverage License for **Daniel H. Bathon**. A security plan has been submitted by the applicant and reviewed by the Savannah Police Department.

The security plan was examined to ensure it properly addressed all mentioned concerns in the City of Savannah's Alcohol Beverage Ordinance, Section 6-1206, Subsection D, Paragraph 4, Items A-I (as applicable).

In reference to the petition for **Daniel H. Bathon** requesting **Class C (Retail Dealer, On Premise Consumption: Distilled Spirits, Malt Beverage and Wine) and Sunday sales** permit at 1006 E. Broad St., T/A "The Phoenix", I submit the following:

**Daniel H. Bathon** security plan has been reviewed. It should be noted the security plan addresses all applicable concerns set forth by the governing sections of the City of Savannah's Alcohol Ordinance. The Savannah Police Department has no reason(s) for recommending denial of this security plan.

A handwritten signature in black ink, appearing to read "Sgt. Samantha Stephens".

Samantha Stephens, ABC Unit Sergeant

Savannah Police Department

## **PUBLIC NOTICE**

### **OFFICE OF THE CLERK OF COUNCIL ALCOHOL BEVERAGE LICENSE HEARING PUBLIC HEARING NOTICE**

Daniel H. Bathon III for DAS Box IV, LLC t/a The Phoenix is requesting a Class C (Liquor, Beer, Wine)(By the Drink) Alcohol License with Sunday Sales at 1006 E. Broad St. The establishment is located between E. Waldburg St. and E. Bolton St in Aldermanic District 2. The applicant plans to operate a full-service restaurant. (New Owner/Location). The applicant will be heard at the meeting of City Council at 6:30 p.m., Thursday, July 22, 2021, via Zoom video.

**Public Comment Allowed:** The public may offer comment on City Council Agenda items in one of two ways:

1. Anyone whose interest in speaking on this agenda item may submit evidence including written comments to [ClerkofCouncil@savannahga.gov](mailto:ClerkofCouncil@savannahga.gov) or by calling 912-651-6441. Written comments become public record and are shared with the Mayor and Aldermen prior to the Council meeting. Prior to the City Council meeting, persons may also register to speak on the agenda item by registering through the City's website at <http://ga-savannah2.civicplus.com/457/Agendas-Minutes>
2. Members of the public may come to City Hall, 2 E. Bay Street, at 6:30 p.m. Thursday, July 22, 2021. The City will have a Zoom connection set up in Council Chambers for persons wishing to participate in a public hearing on the Meeting Agenda. Participants will be required to complete speaker cards prior to the Council Meeting. Social distancing will be practiced.

City of Savannah  
Mark Massey  
Clerk of Council

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### **SAVANNAH MORNING NEWS SPECIAL NOTICE COLUMN**

Please insert the above notice in the SPECIAL NOTICE column of the Savannah Morning News: Tuesday, July 13, 2021.

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, July 11, 2021.