

October 25, 2019

Bridget Lidy
Director, Planning and Urban Design
City of Savannah
2 East Bay Street
Savannah, Georgia 31401

Dear Bridget Lidy,

This letter is a proposal from the Victorian Neighborhoods Association (hereafter “the VNA”) in partnership with local businesses to establish an open container zone in and immediately around Forsyth Park and along Bull Street, which we will refer to in this proposal as the **Forsyth Park Open Container Zone** to distinguish it from the neighboring downtown zone. We propose to amend **Section 6-1214** of the city code to include the Forsyth Park Open Container Zone boundaries, with the same regulations applying to the new zone.

We feel that the time has come for the City of Savannah (hereafter, “the City”) to recognize and normalize activities that are already happening — namely, that residents and visitors are already drinking alcohol in to-go cups in and around Forsyth Park. In addition, businesses adjacent to the park that sell alcohol are presently forbidden from providing to-go cups to customers, although many people are already using them outside of their businesses.

Alcohol is permitted in Forsyth Park by special event permit, but the apparent status quo is that alcohol in plastic cups is tolerated year-around. The present situation is *de facto* non-enforcement of the open container laws in Forsyth Park and adjacent streets. The proposed Forsyth Park Open Container Zone therefore encompasses all of Forsyth Park and contiguous streets of Drayton, Whitaker, and Park Avenue, and would clarify the open container area for everyone – for residents, businesses, visitors, and police officers.

We consider it problematic to treat centerlines of the aforementioned streets as boundaries. Centerlines are arbitrary and work against the natural movement of people and activities in and around Forsyth Park, including movement to and from businesses directly across from the park and slightly further along Bull Street. For this reason we propose that the boundaries include the entire public rights-of-way of the Drayton, Whitaker, and Park Avenue corridors surrounding the park, as well as the Bull Street corridor south to Anderson Street. Bill Dawers, Savannah Morning News columnist, observed in a City Talk column from 2015 (the last time the City was considering expanding a to-go cup zone into our neighborhood): “How much sense would it make for to-go cups to be legal on the north side of Park Avenue while The Sentient Bean on

the south side of the street can't even allow beer or wine drinkers to sit at outdoor tables along the sidewalk? If we're going to expand the to-go cup zone – a move that I favor – then the new map should include the businesses on the edges of Forsyth Park, too.”

In the winter of 2019 the VNA surveyed its membership regarding an open container provision for our neighborhood. An overwhelming majority (84%) favored expanding the open container zone. Of those, 23% responded that the open container zone should be limited to Forsyth Park and contiguous streets, with 38% preferring these boundaries plus an extension along the Bull Street corridor south to Anderson Street to capture businesses and activities relatively adjacent to Forsyth Park. The VNA and member businesses also petitioned our neighbors and collected approximately two-hundred signatures of residents with a Victorian district street address who are in support of the proposed open container zone.

The VNA Board believes that the benefits of the proposed open container zone are manifold. In addition to resolving the above-mentioned confusion regarding the extent of the to-go zone, the ongoing issue with small businesses on Park Avenue and Bull Street telling customers they can't cross the street into the park with alcohol would be resolved. Residents and visitors alike would benefit from this clarity of enforcement and the freedom to enjoy the park at any time with a to-go cup. From a small business perspective, expanding the boundaries would mean increased revenues. The city would capture this increased sales tax revenue. There are broader economic development benefits for existing and future businesses serving alcohol to a larger clientele because of the to-go cup option, but we believe that this business incentive would need to be balanced by the careful awarding of any new alcohol licenses to businesses within the zone (we are aware that alcohol licenses require City Council approval, a strenuous bureaucratic process which involves a degree of neighborhood oversight regarding business type, location, and operating hours, which we will continue to scrutinize closely).

Some residents and elected officials have raised concerns about the potential for an increase in waste and litter generated from plastic cups. We do not anticipate there being a significant increase in waste and litter. Nonetheless, we are prepared with a response to this concern on the south side of the park. The American Legion Post 135 at 1108 Bull Street currently operates an informal business improvement district in cooperation with their tenants – Local 11 ten, Betty Bombers, Brighter Day, Sentient Bean, and Le Chai. These businesses daily remove litter from the public right-of-way, and the American Legion staff occasionally removes trash from the waste bins along Bull Street and disposes of it in their private dumpster at their own expense.

While we appreciate the budget constraints that the City is currently faced with, we reject the premise that private businesses should be primarily responsible for managing garbage in the public realm. The aforementioned businesses have stated that they will continue to clean their immediate area, and are amenable to “adopting-a-spot” under the Keep Savannah Beautiful program. However, local businesses and the VNA also expect that the City to do its part in removing waste and keeping our streets and public spaces clean.

An especially acute problem is clean-up following events in the park. Clean-up and waste removal is part of the event fee and included in event planning, and clean-up within park boundaries is typically excellent. However, attendees to events in Forsyth Park must travel through our neighborhood to get to and from their vehicles, houses, and hotels, and much of the waste related to these events is disposed of beyond park boundaries. It would seem reasonable and fair that hosts of large events be required to pay for additional services which are necessary to maintain impacted areas beyond the park boundaries, in particular the waste bins, sidewalks, and tree lawns immediately surrounding Forsyth Park.

In closing, we propose that the City launch a **90-day assessment period during 2020 Q1**, to coincide with the initial phase of the Forsyth Park Master Plan and its public participation process. The timing of this 90-day assessment would provide invaluable information and feedback for the Forsyth Park master Plan, informing location and quantity of waste receptacles, management regimes, and planning for post-event clean-up.

Kind Regards,

Ryan Madson
President, Victorian Neighborhoods Association

With supporting businesses:

American Legion Post 135
Le Chai
Sentient Bean
Southern Cross Hospitality
White Whale

Local 11 ten?

Mansion on Forsyth?

Enclosure: map showing proposed boundaries of Forsyth Park Open Container Zone; results of VNA open container survey; copy of VNA resident petition.