

**RESOLUTION ATTACHING ZONING CONDITIONS
TO ALCOHOLIC BEVERAGE LICENSE
ISSUED TO VINAYBHAI D. PATEL, T/A EAGLE MARKET
AT 2120 WEST BAY STREET**

WHEREAS, Vinaybhai D. Patel (hereinafter “Eagle Market”) has applied for Class E alcoholic beverage license permitting the sale and dispensation of alcoholic beverages consistent with those licensing categories for the premises situated at 2120 West Bay Street; and

WHEREAS, the Alcoholic Beverage Ordinance of 2017 states that the ability to sell or otherwise deal in alcoholic beverages, including their manufacture, distribution and sale, are declared to be privileges in the City of Savannah, not rights (§ 6-1202); and

WHEREAS, the Alcoholic Beverage Ordinance of 2017 was “enacted for purposes of establishing reasonable and ascertainable standards for the regulation and control of alcoholic beverages in a manner designed to promote the health, safety and general welfare of the community, **while giving effect to zoning and land use plans**, preserving residential areas with reasonable consideration for their character and with the general intent of promoting desirable living conditions and sustaining the stability of neighborhoods and property values” (§ 6-1203 (emphasis added)); and

WHEREAS, Section 6-1207(c) of the Alcoholic Beverage Ordinance provides that “[n]o license shall be issued under this article to a person where the premises for which a license is sought does not meet the requirements of all state, county and city laws, ordinances and regulations which apply to said premises, including, but not limited to building, zoning, fire, and sanitation codes”; and

WHEREAS, the City of Savannah Zoning Ordinance and Alcohol Density Overlay District Ordinance require that certain zoning use conditions attach to the premises situated at 2120 West Bay Street should the Mayor and Aldermen of the City of Savannah vote to issue Eagle Market the requested alcoholic beverage licenses; and

WHEREAS, to effectuate the requirements of the Zoning and Alcoholic Beverage Ordinances as stated, *inter alia*, hereinabove, which conditions Bellwether expressly acknowledges as evidenced by its request for Class E alcoholic beverages licenses, intending hereby to be legally bound;

NOW, THEREFORE, the Mayor and Aldermen of the City of Savannah, Georgia hereby resolve as follows:

The following use conditions shall apply to the premises situated at 2120 West Bay Street:

1. Eagle Market shall maintain 5,144 square feet of interior space and 2,520 square feet of outdoor space;

2. Sale of alcohol shall be limited to ancillary package sales of malt beverages and wine only in unbroken packages and not for consumption on the premises, which shall account for no more than twenty-five percent (25%) of the annual gross revenue of the Market;
3. Per Section 7.14.4.b.iv. of the Alcohol Density Overlay District, effective June 11, 2020, no person possessing an alcoholic beverage license may petition to change, modify, or expand the classification or type of alcoholic beverage license held by such person in an alcohol density overlay district.

Adopted and approved by the Mayor and Aldermen of the City of Savannah, on this

_____ day of September, 2021.

THE MAYOR AND ALDERMEN OF
THE CITY OF SAVANNAH

Van R. Johnson II, Mayor

ATTEST:

Mark Massey
Clerk of Council