

**PLANNING & DEVELOPMENT DEPARTMENT
STAFF REPORT**

Case Number: A.N. 23-38

Application Type: Consumption on Premise Liquor, & Sunday Sales

Business Name: Manny's Sports Off Broad

Hearing Date: September 12, 2023

Report Prepared By: Julietta H. Walton, Business License & Customer Service Manager

Applicant: *Emanuel Hatzis*

Property Owner: Beehive Group

Address of Property: 215 10th Street

Tax Parcel #: 037-3-273-00-0

Commission District: District: 1 Super District: 9

Background: Existing Location

ANALYSIS: Location restrictions: zoning and proximity to churches, libraries, schools, and public recreation areas.

- **Zoning:** B-2 (General Business) Zone
- **Distance Requirements:** The proposed location for consumption on premise Liquor, & Sunday Sales meets the minimum distance location to churches, schools, libraries, and public recreation areas.

ADDITIONAL CONSIDERATIONS:

- **Reputation, character.** The applicant's reputation, character, trade and business associations or past business ventures, mental and physical capacity to conduct business.
- **Previous violations of liquor laws.** If the applicant is a previous holder of a license to sell alcoholic liquors, whether or not he has violated any laws, regulations or ordinance relating to such business.
- **Manner of conducting prior liquor business.** If the applicant is a previous holder of a license to sell alcoholic liquors, the manner in which he conducted the business thereunder especially as

to the necessity for unusual police observation and inspection in order to prevent the violation of any law, regulation or ordinance relating to such business.

- **Location.** The location for which the license is sought, as to traffic congestion, general character of neighborhood, and the effect such an establishment would have on the adjacent surrounding property values.
 - **The proposed location is an Existing Location.**
- **Number of licenses in a trading area.** The number of licenses already granted for similar business in the trading area of the place for which the license is sought.
- **Dancing.** If dancing is to be permitted upon the premise for which the license is sought and the applicant has previously permitted dancing upon the premises controlled or supervised by him, the manner in which he controlled or supervised such dancing to prevent any violation of any law, regulation, or ordinance.
- **Previous revocation of license.** If the applicant is a person, whose license issued under the police powers of any governing authority has been previously suspended or revoked or who has previously had an alcoholic beverages licenses suspended or revoked. Payment of taxes. If the applicant and business are not delinquent in the payment of any local taxes.
- **Congregation of minors.** Any circumstances, which may cause minors to congregate in the vicinity of the proposed location, even if the location meets the distance requirement under section 6-2-64 (b) herein.
- **Prior incidents.** Evidence that a substantial number of incidents requiring police intervention have occurred within a square city block of the proposed location during the twelve (12) months immediately preceding the date of application.
- **Previous Denial or Revocation.** The denial of an application or revocation of a license, occurring within the preceding twelve (12) months, which was based on the qualifications of the proposed location.

FINANCIAL IMPACT: The applicant will pay a pro-rated fee of \$2,802.50

RECOMMENDATION:

The Planning & Development approved the application subject to additional information not contradicting the applicant's statements.

The Sheriff's Office approved the application subject to additional information not contradicting applicant's statements.

Note: The staff report includes the information available approximately two weeks prior to the Public Services Committee meeting. It represents an evaluation of the facts presented by the applicant, research done by the staff, and consideration of the relevant factors in the Comprehensive Zoning Ordinance and the Alcohol Ordinance of Augusta, Georgia. New facts may emerge, and staff reserves the right to make an oral recommendation at the hearing based on all the information available at that time.



Augusta-Richmond County Planning & Development Department
1803 Marvin Griffin Road
Augusta, GA. 30906

SUNDAY SALES APPLICATION

STATE OF GEORGIA

AUGUSTA-RICHMOND COUNTY

Personally appeared before the undersigned an officer duly authorized by law to administer oaths,

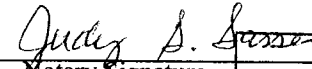
First duly sworn, deposed and says on oath the follows:

- (1) I am the applicant and/or holder of an Alcoholic Beverage License from Augusta-Richmond County.
- (2) The license, for which I am applying for and/or hold, is for an eating establishment known as
NAME OF BUSINESS Manny's Sports Ctr Broad
BUSINESS ADDRESS 215 10th St
CITY, STATE, ZIP Augusta GA 30901
- (3) At least 50% of its total annual gross food and beverage sales are from the sale of prepared meals or food.
- (4) This affidavit is made for the purpose of being used by Richmond County, Georgia to authorize the sale of distilled spirits, malt beverage, or wine, for consumption only, on the premises of said establishment, on Sunday between the hours of 12:30 P.M. and 2:00 A.M.



Signature of Applicant

Sworn and Subscribed
Before me this 12th
Day of June, 20 23



Notary Signature

JUDY S. SASSER NOTARY PUBLIC Richmond County State of Georgia My Comm. Expires Feb. 14, 2025

§6-2-74 PROBATION, SUSPENSION, REVOCATION

Section §6-2-74 of the Richmond County Liquor, Beer, and Wine Ordinance states, "Falsifying information or making any material misrepresentation on the application for a license under this Ordinance" will result in a violation of this Ordinance.

NOTICE: THE ABOVE AFFIDAVIT IS GIVEN UNDER OATH. ANY PERSON CONVICTED OF SALES SWEARING SHALL BE PUNISHED BY A FINE OF NOT MORE THAN \$1,000 OR NOT LESS THAN ONE OR MORE THAN FIVE YEARS, OR BOTH UNDER GEORGIA LAW.

PLANNING & DEVELOPMENT APPROVAL

SHERIFF DEPT. APPROVAL

() Approved () Denied

() Approved () Denied



Augusta-Richmond County Planning & Development Department
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ALCOHOL BEVERAGE APPLICATION

Alcohol Number _____ Year _____ Alcohol Account Number _____

1. Name of Business Manny's Sports off Broad
2. Business Address 215 10th S
3. City Augusta State GA Zip 30904
4. Business Phone (404) 216-2264 Home Phone (404) 216-2264
5. Applicant Name and Address: Emanuel Hatzis
1008 Adrian St
Augusta 30904
6. Applicant Social Security # _____ D.O.B. _____
7. If Application is a transfer, list previous Applicant: _____

8. Business Location: Map & Parcel _____ Zoning _____
9. Location Manager(s) _____

10. Is Applicant an American Citizen or Alien lawfully admitted for permanent residency?
☒ Yes () No

OWNERSHIP INFORMATION

11. Corporation (if applicable): Date Chartered: Apr 2002
12. Mailing Address:
Name of Business Manny's Sports off Broad
Attention Manny Hatzis
Address 1008 Adrian St
City/State/Zip Augusta GA 30904
13. Ownership Type: () Corporation () Partnership (x) Individual
14. Corporate Name: That Greek Chef LLC
List name and other required information for each person having interest in this business.

Name	Position	SSNO#	Address	Interest
<u>Emanuel Hatzis</u>	<u>Owner</u>		<u>1008 Adrian St</u>	<u>100%</u>

15. What type of business will you operate in this location?
(x) Restaurant - Full () Lounge () Convenience Store
() Restaurant - Limited () Package Store () Hybrid
() Other: _____

License Information	Liquor	Beer	Wine	Dance	Sunday Sales
Retail Package Dealer					
Consumption on Premises	<u>X</u>				
Wholesale					<u>X</u>

Total License Fee: \$ _____
Prorated License Fee: (After July 1 ONLY) \$ _____

16. Have you ever applied for an Alcohol Beverage License before: Yes
If so, give year of application and its disposition: 2002 exp. 12
17. Are you familiar with Georgia and Augusta-Richmond County laws regarding the sale of alcoholic beverages? (x) Yes () No If so, please initial EH

18. Attach a passport-size photograph
(front view) taken within two years.
Write name on back of the dealer
submitting the license application.



19. Has any liquor business in which you hold, or have held, any financial interest, or are employed, or have been employed, ever been cited for any violation of the rules and regulations of Augusta-Richmond County or the State Revenue Commission relating to the sale and distribution of distilled spirits? () Yes (X) No
If yes, give full details: _____

20. Have you ever been arrested, or held by Federal, State, or other law-enforcement authorities, for any violation of any Federal, State, County or Municipal law, regulation or ordinance: (Do not include traffic violations, with the exception of any offenses pertaining to alcohol or drugs). All other charges must be included, even if they are dismissed. () Yes (X) No
If yes, give reason charged or held, date and place where charged and its disposition. _____

21. List owner or owners of building and property.

Eric Kenlaw

22. List the name and other required information for each person, firm or corporation having any interest in the business.

Emanuel Hatzis

23. If a new application, attach a surveyor's plat and state the straight line distance from the property line of school, church, library, or public recreation area to the wall of the building where alcohol beverages are sold.

A) Church _____ C) School _____
B) Library _____ D) Public Recreation _____

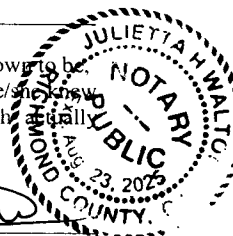
24. State of Georgia, Augusta-Richmond County, I, Emanuel Hatzis
Do solemnly swear, subject to the penalties of false swearing, that the statements and answers made by me as the applicant in the forgoing alcoholic beverage application are true.

Applicant Signature

25. I hereby certify that Emanuel Hatzis is personally known to me. That he/she signed his/her name to the forgoing allocation stating to me that he/she knows and understood all statements and answers made herein, and, under oath, truthfully administered by me, has sworn that said statements and answers are true.

This 31 day of August, in the year 2023.

Notary Public



FOR OFFICE USE ONLY

Department Recommendation	Approve	Deny	Comments
Alcohol Inspector			
Sheriff			
Fire Inspector			

The Board of Commissioners on the _____ day of _____, in the year _____
(Approved, Disapproved) the forgoing application

Administrator

Date



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Planning and Development Department

Carla Delaney – Director

Manny's Sports Off Broad
Mr. Emanuel Hatzis
215 10th Street
Augusta, Georgia 30901

August 25, 2023

Mr. Hatzis,

The Augusta Planning & Development has completed the restaurant compliance/Sunday Sales audit of Manny's Sports Off Broad located at 215 10th Street in Augusta, Georgia. The audit period covered October 2022 through July 2023. In conducting this audit, we followed Generally Accepted Auditing Standards. We examined daily, weekly and monthly sales categories of beer, wine, food and nonalcoholic beverages from points of sale operating system reports as well as alcohol and food purchases.

According Augusta-Richmond County Alcohol Ordinance **Section 6-2-52 License for eating establishment, alcohol drinks to go, hybrid restaurants, entertainment venue, art shop, personal service establishment, indoor amusement and recreational gaming enterprise, bodega, or Augusta Convention and Visitors Bureau; authority to sell for consumption on the premises.** (a) For an eating establishment to be eligible for consumption on the premises, it must be public place kept, used maintained, advertised and held out to the public as a place where substantial meals are served, such place being provided with adequate and sanitary kitchen to include an appropriate stove, refrigerator, food preparation area, sink, and other items required by the County Health Department and Planning & Development for the preparation of foods, and shall have a printed or posted menu from which selections for prepared food can be made, and dining room equipment, and a seating capacity of at least 40 people, having employed therein a sufficient number and kind of employees to prepare, cook and serve suitable meals for its guests as a bona fide eating establishment operation. The serving of such meals shall be the principal business conducted, with the serving of distilled spirits to be consumed on the premises as only incidental thereto, and to qualify as an eating establishment under this section, such establishment must derive at least **50 percent** of its total annual gross food and beverage sales from the sales of prepared meals and foods on-premises. The Planning & Development Department staff, upon receiving an application from an eating establishment to sell alcoholic beverages for consumption on the premises, shall inspect the restaurant to determine if the applicant is in compliance with the above requirements for a restaurant and shall advise the Commission the determination of his/her inspection.

1803 Marvin Griffin Road, Augusta, Ga. 30906

Building Permits
706.312.5050 Fax 706.312.4253

Business License
706.312.5053 Fax 706.312.5037

Alcohol License
706.312.5038 Fax 706.821.4253

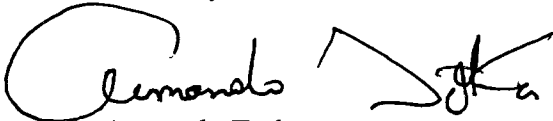
Code Enforcement
706.312.5049 Fax 706.821.4253

Food and beverage sales were **62%** of total sales(beer, wine, food and nonalcohol beverages. This is **above the 50% food sales restaurant meeting criteria.**

According to Augusta-Richmond County Alcohol Ordinance **Section 6-2-15 Sunday Sales** (a) The sale of alcoholic beverages is authorized for consumption on-premises in eating establishments, or inn, as defined herein, on Sundays between the hours of 11:00 a.m. and 2:00 am. Monday. Where the sale of alcoholic beverages is in conjunction with the sale of food, the aforesaid hours of sale shall be applicable only to the sale of alcoholic beverages and not applicable to the sale of food; provided however, no alcoholic beverage shall be allowed to remain on any bars, tables, or be in possession of patrons after 2:30 a.m. Monday, and the inventory of alcoholic beverages must be secured as described in Section 6-2-17 of this Ordinance. For the purpose of this subsection, eating establishment shall mean an establishment which is licensed to sell alcoholic beverages for consumption on the premises and which derives at least fifty (50) percent of its total annual gross food and beverages sales from the sale of prepared meals or food, and shall further mean a restaurant meeting criteria for license eligibility provided in Section 6-2-52.

If there are any questions pertaining to this audit, please contact me at (706)312-5177.

Sincerely,

A handwritten signature in black ink, appearing to read 'Armando Totka', followed by a stylized flourish or second signature.

Armando Totka
Business License Audit Manager