

motion of Alderman Johnson, seconded by Alderman Bell, per the City Manager's recommendation.

Alderman Thomas stated this was an interesting discussion on the issue and asked Attorney Stillwell and staff when the Alcohol Ordinance will be coming before Council for review. City Manager Cutter replied it is scheduled for workshop this month to hopefully move forward.

## ZONING HEARINGS

**Richard Mopper, Petitioner (MPC File No. 15-003655-ZA)**, requesting a Special Use within a PUD-IS-B (Planned Unit Development-Institutional) zoning district for property located at 1650 East Victory Drive.

The petitioner would like to offer food and beverage service to customers as an amenity to the existing retail business on the subject property. The requested use is use #48 of the Savannah Zoning Ordinance; *Restaurant, sit down or cafeteria, which serves alcoholic beverages*. The PUD-IS district allows certain uses by right and includes a provision that other uses may be approved by the Mayor and Aldermen as a Special Use based on the review criteria established in ordinance section 8-3163(b).

The petitioner's request was originally heard by the MPC in July 2015. The Planning Commission forwarded a recommendation of denial to the Mayor and Aldermen. Upon review of the petitioner's request, the Mayor and Aldermen voted to send the petition back to the MPC so that staff might consider whether placing conditions on the proposed use might be appropriate. The Planning Commission reconsidered the petition with new use conditions proposed by staff.

The Planning Commission recommends approval of the petitioner's request to allow the proposed Special Use at 1650 East Victory Drive, with the following conditions:

1. The restaurant use shall be accessory to the existing principal retail use. A restaurant as a principal use shall not be permitted.
2. Any building addition established for the restaurant use shall not exceed 1,000 square feet.
3. The restaurant shall have a maximum of 49 seats.
4. The hours of operation shall not precede 9 a.m. or exceed 9 p.m.
5. The restaurant shall not include a drive-thru.
6. A site plan shall be reviewed and approved through the City of Savannah Development Services site plan review process exhibiting that all development standards including setbacks, buffers and required parking have been met prior to the use being established.

### **Recommend approval.**

Marcus Lotson, Metropolitan Planning Commission briefly described the petitioner's request. Hearing closed upon motion of Alderman Bell, seconded by Alderman Miller, and unanimously carried. Approved upon motion of Alderman Hall, seconded by Alderman Bell, per the City Manager's recommendation.

motion of Alderman Johnson, seconded by Alderman Thomas, per the City Manager's recommendation.

**Katrita L. Wilson for Ganesh Garden, LLC t/a Clarion Inn & Suites**, requesting beer and wine (drink) license at 6800 Abercorn Street, which is located between Stephenson Avenue and Jackson Boulevard in District 4. The applicant plans to continue to operate as a hotel. (New request/existing business) **Recommend approval.** Hearing closed upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried. Approved upon motion of Alderman Johnson, seconded by Alderman Thomas, per the City Manager's recommendation.

**Devika Patel for G DADA 1010, Inc. t/a J & J Food Mart**, requesting to transfer beer and wine (package) license from Jitendra G. Patel at 848 Staley Avenue, which is located between Temple Street and Coleman Street in District 5. The applicant plans to continue to operate as convenience store. (New ownership/management/existing business) **Recommend approval.** Hearing closed upon motion of Alderman Johnson, seconded by Alderman Thomas, and unanimously carried. Approved upon motion of Alderman Johnson, seconded by Alderman Thomas, per the City Manager's recommendation.

## **ORDINANCES** **FIRST and SECOND READINGS**

Ordinance read for the first time in Council March 15, 2016, then by unanimous consent of Council read a second time, placed upon its passage, adopted and approved upon a motion by Alderman Thomas, seconded by Alderman Miller, and unanimously carried.

**1650 East Victory Drive.** An ordinance to allow a Special Use within a PUD- IS-B (Planned Unit Development-Institutional) zoning district for property located at 1650 East Victory Drive, with the following conditions:

1. The restaurant use shall be accessory to the existing principal retail use. A restaurant as a principal use shall not be permitted.
2. Any building addition established for the restaurant use shall not exceed 1,000 square feet.
3. The restaurant shall have a maximum of 49 seats.
4. The hours of operation shall not precede 9 a.m. or exceed 9 p.m.
5. The restaurant shall not include a drive-thru.
6. A site plan shall be reviewed and approved through the City of Savannah Development Services site plan review process exhibiting that all development standards including setbacks, buffers and required parking have been met prior to the use being established.

**Recommend approval.**

AN ORDINANCE  
To Be Entitled

AN ORDINANCE TO ALLOW A SIT-DOWN RESTAURANT OR CAFETERIA THAT SERVES ALCOHOLIC BEVERAGES AS SPECIAL USE WITH CERTAIN CONDITIONS LOCATED ON CERTAIN PROPERTY WITHIN A PUD-IS-B (PLANNED UNIT DEVELOPMENT-INSTITUTIONAL-BUSINESS) ZONING CLASSIFICATION; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES:

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: A special use sit-down restaurant or cafeteria that serves alcohol (Use 48, Sec. 8-3025(b) of the City of Savannah Zoning Ordinance) is permitted at 1650 East Victory Drive with the following conditions:

1. The restaurant use shall be accessory to the existing principal retail use\*. A restaurant as a principal use shall not be permitted.
2. Any building addition established for the restaurant use shall not exceed 1,000 square feet.
3. The restaurant shall have a maximum of 49 seats.
4. The hours of operation shall not precede 9:00 a.m. or exceed 9:00 p.m.
5. The restaurant shall not include a drive-thru.
6. A site plan shall be reviewed and approved through the City of Savannah Development Services site plan review process exhibiting that all development standards including setbacks, buffers and required parking have been met prior to the use being established.

Said conditions shall not be amended unless approved by the Mayor and Aldermen.

\*The existing use is an antiques store.

PIN: 2-0078-01-026

SECTION 3: That the requirements of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. An opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the Savannah Morning News, on the 11<sup>th</sup> day of February, 2016, a copy of said notice being attached hereto and made a part hereof.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE: This ordinance shall be effective as of the date hereof.

**ADOPTED AND APPROVED: MARCH 15, 2016**