



C H A T H A M C O U N T Y - S A V A N N A H

METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: AUGUST 28, 2018

TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

FROM: METROPOLITAN PLANNING COMMISSION

SUBJECT: MPC RECOMMENDATION

PETITION REFERENCED:

Richard Mopper, Petitioner
Tafina LLC. Owner
1650 East Victory Drive
PIN: 2-0078-01-026
Lot Size: .789 acres
Aldermanic District: 3 (Hall)
County Commission District: 2 (Holmes)
Zoning District: PUD-IS-B
File No. 18-003858-ZA

MPC ACTION:

Approval of the special use request to add use # 20a Assembly Hall at 1650 East Victory Drive with the condition that the maximum occupancy not exceed 156 persons.

MPC STAFF RECOMMENDATION:

Denial of the special use request to add use # 20a Assembly Hall at 1650 East Victory Drive.

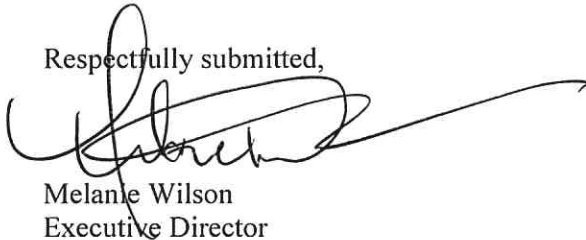
MEMBERS PRESENT: 11 + Chairman

Joseph Ervin, Chairman	Lee Smith
Thomas Branch	Linder Suthers
Travis Coles	Joseph Welch
Ellis Cook	Tom Woiwode
Roberto Hernandez	
Karen Jarrett	
Lacy Manigault	
Tanya Milton	

PLANNING COMMISSION VOTE: Approve Staff Recommendation (10-2)

APPROVAL Votes: 10	DENIAL Votes: 2	ABSENT
Ervin Branch Cook Coles Hernandez Manigault Milton Smith Woiwode Welch	Jarrett Suthers	

Respectfully submitted,



Melanie Wilson
Executive Director

/jh

Enclosure

cc Luciana Spracher, Interim Clerk of Council
Brooks Stillwell, City Attorney
Lester B. Johnson, Assistant City Attorney
Jennifer Herman, Assistant City Attorney
Beth Barnes, Department of Inspections





Chatham County - Savannah Metropolitan Planning Commission

August 28, 2018 Regular MPC Meeting

Title

SPECIAL USE REQUEST - ASSEMBLY HALL | 1650 East Victory Drive | File No. 18-003858-ZA

Description

Petitioner: Richard Mopper, Harold Yellin Agent

Tafina LLC, Owner

1650 East Victory Drive

PIN: 2-0078-01-026

0.79 Acres

Aldermanic District: 3 (Hall)

County Commission District: 2(Holmes)

MPC File No. 18-003858-ZA

MPC Project Planner: Marcus Lotson

The petitioner is requesting approval of a special use (assembly hall) at 1650 East Victory Drive within a PUD-IS -B zoning district.

Recommendation

Based on the information provided to date, staff recommends denial of the special use request for 1650 East Victory Drive.

Contact

Financial Impact

Review Comments

Attachments

📎 [Maps.pdf](#)

📎 [Photo.pdf](#)

📎 [Parking layout.pdf](#)

📎 [PUD-IS-B DISTRICT.pdf](#)

📎 [Staff Report - 3858.pdf](#)



C H A T H A M C O U N T Y - S A V A N N A H

METROPOLITAN PLANNING COMMISSION

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M E M O R A N D U M

TO: **The Mayor and Aldermen, City of Savannah**

FROM: **The Planning Commission**

DATE: **August 28, 2018**

SUBJECT: **Richard Mopper, Petitioner**
 Tafina LLC. Owner
 1650 East Victory Drive
 PIN: 2-0078-01-026
 Lot Size: .789 acres
 Aldermanic District: 3 (Hall)
 County Commission District: 2 (Holmes)
 Zoning District: PUD-IS-B
 File No. 18-003858-ZA

Marcus Lotson, MPC Project Planner

Request: The petitioner is requesting approval of a special use within a PUD-IS-B (Planned Unit Development-Institutional) zoning district. The requested use is use #20a of the Savannah Zoning Ordinance, *assembly hall*. An assembly hall is defined as "a facility available for use by the general public for meetings, parties, events and activities of a similar nature. Such use may include the use of any outdoor area onsite and any kitchen facilities associated with the use."

The PUD-IS-B district allows certain uses by right such as art galleries, museums, theatres, churches and schools. The district also 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).

Public Notice: As required by the City of Savannah Zoning Ordinance, all property owners within 300 feet of the subject property were sent notices of the proposed special use and a sign was posted on the site. The subject site is not located within or adjacent to any recognized neighborhood association boundaries.

Findings:

1.Subject Property: The subject property is located at 1650 East Victory Drive on the north

side of Victory Drive between Oleander Avenue and Hibiscus Avenue. The site is .789 acres in size and is presently occupied by a retail store specializing in the sale of art, antiques, personal accessories and home goods. The buildings on site include a 1,925

square foot former residence that was converted to an office / retail space in 1999 and a 3,721square foot storage warehouse that was built in the same year.

2. **Requested Special Use:** The petitioner is requesting the assembly hall use. Although no floor plan has been provided, the petitioner has stated that the square footage of the area proposed to be used as the assembly hall is approximately 3,000 square feet. In consultation with the Fire Prevention Division of Savannah Fire and Emergency Services, staff has learned that the maximum occupancy for this use at this site can range from 200 to 300 persons, based on factors such as life safety infrastructure like sprinklers and fire alarms which could allow more. This calculation would also include the number and width of doors, stairs etc. **Parking:** The petitioner has indicated on the site plan exhibit submitted with the application, that the existing surface parking lot can accommodate 13 off street spaces, and that the unimproved rear yard can accommodate an additional 26 spaces. The rear yard is not proposed to be paved so these spaces would not meet the minimum standards of the zoning ordinance. The parking requirement for the assembly hall use is 1 space for each 4 seats. At a minimum, the use is likely to require 50 spaces, However, depending on the configuration of individual events (seated or standing room only) and the official occupant load, the parking demand could be over 100 spaces.
3. **Existing Development Pattern:** Although significant commercial development and development pressure has occurred in the general vicinity, the portion of the corridor in which the subject property is located, west of Victory Manor Place to Bee Road, has remained largely intact. The development pattern in this area includes primarily commercial uses south of Victory Drive but is exclusively residential north of Victory Drive, the subject property notwithstanding. Because Victory Drive is one of the most heavily travelled arterial streets in Savannah, there is likely to be an increase in commercial development pressure in the vicinity and a greater demand on infrastructure.

The land uses and zoning districts surrounding the subject property include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential	R-6
South	Undeveloped	B-C [1]
East	Residential	R-6

West Residential R-6

[1] B-C –Community- Business

4. **PUD-IS-B Intent.** The Zoning Ordinance does not provide an intent statement for the PUD-IS-B district. However, the definition states: “Under this district, institutional, professional, or office developments, and residential townhouses and/or condominium units, shall be permitted on a lot or tract of land consisting of less than three acres.” This district serves as a transitional zone between residential areas and more intensive commercial areas.
5. **PUD-IS-B Uses.** A list of the allowed PUD-IS-B uses is attached. The list includes “other uses” (i.e., Special Uses) that can be approved by the Mayor and Aldermen. The required findings or review criteria appear in Finding #6.
6. **“Other Uses” Allowed within the PUD-IS-B District.** “Other uses” are referred to as Special Uses in accordance with State law because they require a legislative finding. A Special Use review must be in accordance with Section 8-3163(b). The criteria include:
 - [a] The proposed use does not affect adversely the general plans for the physical development of the City, as embodied in this chapter, and in any master plan or portion thereof adopted by the Mayor and Aldermen.
Staff Comment: It is unlikely that the proposed use will adversely impact the general plans for the physical development of the City.
 - [b] The proposed use will not be contrary to the purposes stated for this chapter.
Staff Comment: The proposed use is not contrary to the purpose stated for this chapter if required development standards can be met.
 - [c] The proposed use will not affect adversely the health and safety of residents and workers in the City.
Staff Comment: Potential health and safety risks associated with the proposed development are not apparent. If they exist, they would likely be related to vehicular ingress / egress of the property.
 - [d] The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.
Staff Comment: The impact of event oriented traffic and overflow parking on public streets can be a detriment to the neighborhood.
 - [e] The proposed use will not be affected adversely by the existing uses.
Staff Comment: Proposed and existing uses are not likely to impact each other on the subject property.

- [f] The proposed use will be placed on a lot of sufficient size to satisfy the space requirements of such use.
Staff Comment: The lot does not appear to be sufficient to accommodate an assembly use with the number of potential individuals at this site.
- [g] The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fume generation, or type of physical activity.
Staff Comment: The proposed use could constitute a nuisance based on the number of persons that could attend the facility.
- [h] The standards set forth for each particular use for which a permit may be granted have been met.
Staff Comment: Based on information provided to date, the standards for an assembly hall use have not been met.
- [i] Provided that the Board of Appeals [in this case, the MPC and the Mayor and Aldermen] may impose or require such additional restrictions and standards as may be necessary to protect the health and safety of workers and residents in the community, and to protect the value and use of property in the general neighborhood.
- [j] Provided, that the proposed use shall be subject to the minimum area, setback and other locational requirements of the zoning district in which it will be located.
- [k] Provided, that the proposed use shall be subject to the off-street parking and service requirements of this chapter.

7. **Future Land Use Plan:** The Chatham County Savannah Tri-centennial Comprehensive Plan Future Land Use Map designates the subject property as Commercial Neighborhood.
8. **Public Services and Facilities:** The property is served by the Savannah Police Department, City of Savannah fire protection and by the City of Savannah water and sanitary sewer.
9. **Chatham Area Transit:** The property is also served by the Chatham Area Transit Authority (CAT), route number 12. The nearest bus stop is located east of the subject property between Hibiscus Avenue and Victory Manor Place.
10. **Transportation Network:** The property has access on East Victory Drive, a major arterial street with an average daily traffic count of approximately 26,000 vehicle trips per day. The property is accessed by a right in - right out curb cut on Victory Drive.
11. **Special Use Criteria:** The use being sought by the petitioner is use #20a assembly hall.

In review of the uses allowed by right in the PUD-IS-B zoning district, the proposed use is incompatible with adjacent properties. The special use criteria outlined in section 8-3163(b) is the basis by which use approval requests are evaluated. In section [g] the criteria is “The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fume generation, or type of physical activity.” Staff finds that the use is likely to have impact on adjoining residential neighborhoods. In section [d] the criteria is “The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.” Staff finds that the introduction of an assembly hall use, on a property that has not shown that it can support the number of likely users, is potentially problematic for the adjacent residential uses.

ALTERNATIVES:

1. Approve staff recommendation.
2. Approve the petitioner request.
3. Include conditions to either recommendation.

POLICY ANALYSIS:

Although Victory Drive is a heavily travelled commercial corridor, the properties immediately adjacent to the subject property are residential in nature. Further, it has not been exhibited that the facility is adequate to host the number of individuals that could use the assembly hall. The petitioner’s guests are limited in terms of overflow parking to the residential streets adjacent to the subject property. This, along with the potential of outdoor functions without time restraints, can become a nuisance to nearby residents.

RECOMMENDATION

The Planning Commission recommends approval of the petitioner’s request of a Special Use for use #20 Assembly Hall, at 165 East Victory Drive, with the condition that the occupancy for events not exceed 156 individuals.