



**METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**DATE:** November 2, 2021  
**TO:** THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH  
**FROM:** METROPOLITAN PLANNING COMMISSION  
**SUBJECT:** MPC RECOMMENDATION

**PETITION REFERENCED:**

**Petitioner:** Wesley Dixon

**Owner:** Hal Jenkins

**Aldermanic District:** 2 - Leggett

**County Commission District:** 2 - Rivers

**Neighborhood/Subdivision:** Thomas Square Historic Neighborhood Association

**Current Zoning District:** Traditional Commercial, TC-2

**Future Land Use (FLU) Category:** Traditional Commercial

**File No. 21-004407-ZA**

**Location:** 2301 Montgomery Street

**PIN:** 20073 14004    **Acreage:** .08

**MPC ACTION:**

**Approval with conditions** of the request to establish a vehicle sale, rentals and leasing establishment at 2301 Montgomery Street.

**MPC STAFF RECOMMENDATION:**

**Approval with conditions** of the request to establish a vehicle sale, rentals and leasing establishment at 2301 Montgomery Street.

**MEMBERS PRESENT:** 9 + Chairman

Joseph Welch, -Chairman  
Laureen Boles  
Travis Coles  
Elizabeth Epstein  
Karen Jarrett  
Ruel Joyner  
Jay Melder  
Wayne Noha  
Lee Smith  
Dwayne Stephens

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (10-0)

| <b>APPROVAL<br/>Votes: 10</b>  | <b>DENIAL<br/>Votes: 0</b> | <b>ABSENT</b>                         |
|--|----------------------------|---------------------------------------|
| Welch<br>Boles<br>Coles<br>Epstein<br>Jarrett<br>Joyner<br>Melder<br>Noha<br>Stephens<br>Smith |                            | Parker<br>Woiwode<br>Watkins<br>Ervin |

Respectfully submitted,



Melanie Wilson  
Executive Director

/sa

Enclosure

cc Mark Massey, Clerk of Council  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Beth Barnes, Department of Inspections





CHATHAM COUNTY-SAVANNAH  
METROPOLITAN PLANNING COMMISSION  
“Planning the Future, Respecting the Past”

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**STAFF REPORT**

File No. 21-004407-ZA

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Prepared by: Melissa Paul-Leto, Planner



Figure 1 Location Map

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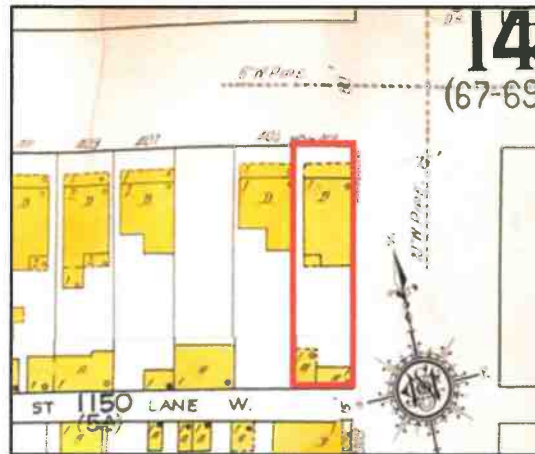
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**Request:**

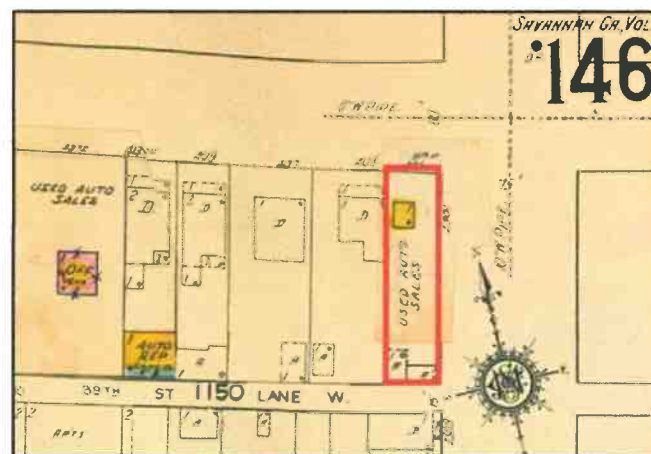
The petitioner is requesting approval for a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to establish a vehicle sale, rentals and leasing use. The Special Use process includes review by the Planning Commission and the Savannah City Council. Should a permit be granted by the City of Savannah, it will be governed by the permit enforcement criteria outlined in Article 3 of the Savannah Zoning Ordinance.

**Background:**

The subject property is located at 2301 Montgomery Street on the corner of Montgomery and W 39<sup>th</sup> Streets in the Thomas Square Historic Neighborhood. The parcel is .08 acres, or 3,484.8 square feet, and includes the following structures: a one-story structure with an attached carport, a detached carport, and a shed, the remaining parcel is surfaced in concrete. The subject property is located across the street from residential properties on Montgomery Street. The parcel abuts an abandoned one-story residential structure and is located across the street on W 39<sup>th</sup> Street from Wells Park. The applicant has made improvements to the property which include creating six (6) tandem display parking spaces for the subject cars for sale, two (2) customer off-street parking spaces, and painted the proposed sales office which is the existing one-story structure on the property. Based on the 1953 and 1966 Sanborn Maps, the subject property was a residential parcel with a dwelling unit and transitioned to a used auto sales establishment. It was most recently a car washing establishment.



*Sanborn Map – 1916 pasted through 1953 indicating the property was originally residential in nature*



*Sanborn Map – 1953 pasted through 1966 indicating the property was used as an auto sales establishment*



*Applicant is proposing six (6) tandem display parking spaces for the subject cars for sale.*



*Applicant is proposing two (2) off-street parking spaces for customers.*

### **Public Notice**

As required by the City of Savannah Zoning Ordinance, mailed notices of the proposed Special Use were sent to all property owners within 300 feet of the subject property, signs were posted on site and required newspaper advertisements were run.

### **Existing Development Pattern**

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

| <b><u>Location</u></b> | <b><u>Land Use</u></b> | <b><u>Designation</u></b> |
|------------------------|------------------------|---------------------------|
| North                  | Wells Park             | TN-2                      |
| East                   | Residential / Retail   | TN-2                      |
| South                  | Retail                 | TC-2                      |
| West                   | Residential / Retail   | TC-2                      |

### **General Provisions Section 3.10.2**

The General Provisions for Special Uses identify the purpose of the process and are as follows:

- Special uses within each zoning district are uses that would not be appropriate generally or without restriction but which, if controlled as to number, area, location, or relation to other uses may be appropriate in a particular zoning district.
- A special use permit shall be required for all special uses (identified with an “S” designation) as set forth in the permitted use table in Sec. 5.4, Principal Use Table or as part of a use condition in Article 8.0, Use Standards.
- Specific use standards may be applicable to the approved special use.
- Any use or activity on the property not specifically permitted by Article 5.0, Base Zoning Districts, or the special use permit as modified, shall be deemed unlawful and subject to Article 12.0.

### **Review Criteria for Special Use Permits Section 3.10.8**

When reviewing a special use permit request, the review authority shall consider the following criteria:

- a) Whether the special use is consistent with the intent, goals, strategies, policies, guiding principles and programs of the Comprehensive Plan and other adopted plans.

**Staff Comment:** The subject property is in the TC-2 (Traditional Commercial) zoning classification, as well as the Traditional Commercial Future Land Use

designation in the Comprehensive Plan. Per Section 5.13.1 b., “The TC-2 district is established to ensure the vibrancy of historic mixed-use neighborhoods with traditional development patterns characteristic of Savannah during the streetcar and early automobile eras. The district provides for the creation of commercial corridors along higher classifications of streets that traverse historic neighborhoods”. The requested use is consistent with this designation at this location within a mix-use neighborhood.

- b) Whether specific use standards for the special use, if any, as provided in Article 8.0, Use Standards, can be achieved.

**Staff Comment:** The following are use conditions associated with Vehicle Sales, Rentals and Leasing per Section 8.4.39:

- All vehicles shall be parked on the premises, not to include rights-of-way unless such encroachment has been approved by the City of Savannah. Vehicles for sale, rental, lease or in the process of service or repair shall not be parked in any space required by Sec. 9.3, Off-street Parking and Loading.
- Damaged or inoperable vehicles may be stored on the premises only if undergoing repair. Salvage is not permitted.
- For sales or rental operations within a combined development, the maximum number of vehicles permitted shall be restricted by the available spaces on site that are in excess of the required parking spaces established in Sec. 9.3, Off-street Parking and Loading and shall not exceed 10% of the total number of parking spaces in the combined development.

- c) Whether the special use is detrimental to the public interest, health, safety, welfare, function, and appearance of the adjacent uses or general vicinity by reason of any one or more of the following: the number, area, location, height, orientation, intensity (such as traffic, noise, odor, hours of operation), or relation to the neighborhood or other adjacent uses.

**Staff Comment:** As to whether the proposed Special Use could be a detriment to the public interest based on the identified criteria, it is unlikely to cause a detriment to the neighborhood. The applicant has provided improvements of the property to staff since they presented at the October 12<sup>th</sup> Chatham County – Savannah Metropolitan Planning Commission which includes two (2) customer off-street parking spaces, and six (6) tandem display parking spaces for the subject cars for sale. Staff finds there will be enough space for the proposed Special Use due to the applicant’s improvements.

- d) Whether the subject property is adequate in shape and size to accommodate the special use.

**Staff Comment:** The existing structures, remaining parcel, and the onsite improvements submitted by the applicant appear to be able to accommodate the proposed use.

- e) Whether adequate public facilities are available to serve the proposed use, including, but not limited to water; sanitary sewer; stormwater drainage facilities; public safety and emergency facilities; roadway capacity; vehicular ingress and egress; or, that the applicant will provide adequately for such services and for placement in an appropriate location.

**Staff Comment:** Adequate public facilities are available to support the proposed use.

- f) Whether the special use will result in the destruction, loss, or damage of any feature determined by the review authority to be of natural, cultural, scenic, or historic importance.

**Staff Comment:** There will be no loss, destruction, or damage to any item of historic importance. No renovations or construction is being proposed as part of this Special Use Permit request.

#### **ALTERNATIVES:**

1. Approve the petitioner's request as presented.
2. Deny the petitioner's request.

#### **POLICY ANALYSIS:**

The subject property is in an area that is developed with primarily residential uses mixed with some retail uses and a city park. Both the zoning classification and the land use designation are compatible with the proposed special use. Based on the applicant's improvements on-site, it appears to be able to accommodate the request regarding adequate space. The special use process allows the Planning Commission and the Mayor and Aldermen to consider individual circumstances and apply conditions if necessary. It also allows the City Council to manage the permit issuance based on the ongoing compliance of the permit holder to include revocation if necessary. Staff finds that the subject site will most likely support the proposed use.



**RECOMMENDATION:** Based upon the criteria for a special use permit; Staff recommends **approval with conditions** of the request to establish a vehicle sale, rentals and leasing establishment at 2301 Montgomery Street.

**Conditions:**

Conditions related to traffic:

1. If the planters, placed within City right-of-way are to remain, an approved right-of-way encroachment permit will need to be acquired.
2. If parking is provided on site, an ADA parking space will need to be provided. Please see the attached construction details.
3. The traffic circulation striping directly in from the building will need to be removed.
4. If any site work other than striping or routine maintenance is done to the parking lot, the latest site plan ordinance will apply to the site.

Metropolitan Planning Commission conditions:

5. The property shall have no more than six (6) display cars located within the six (6) tandem parking spaces.
6. There shall be one (1) off-street parking space designated for an employee, and one (1) off-street parking space designated for a customer.
7. There shall be no vehicular repairs conducted on-site.
8. The Special Use permit, if approved shall not be transferrable.
9. Hours of operation shall be Monday through Saturday 8:00 a.m. to 6:00 p.m.