



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: AUGUST 31, 2021
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC RECOMMENDATION

PETITION REFERENCED:

Petitioner: Dana Braun

Owner: 42/43 LLC

Aldermanic District: 2, Alderman Detric Leggett

County Commission District: 2, Commissioner Larry "Gator" Rivers

Neighborhood/Subdivision: Metropolitan

Current Zoning District: Traditional Commercial, TC-1

Future Land Use (FLU) Category: Traditional Commercial

File No. 21-002668-ZA

Location: 9 W 43rd Street

PIN: 20074 24002 Acreage: .26

MPC ACTION:

Approval of the request for a special permitted use of a restaurant with alcohol sales at 9 West 43rd Street **with the following condition:** The restaurant shall operate only between the hours of 7am and 10pm.

MPC STAFF RECOMMENDATION:

Approval of the request for a special permitted use of a restaurant with alcohol sales at 9 West 43rd Street **with the following condition:** The restaurant shall operate only between the hours of 7am and 10pm.

MEMBERS PRESENT: 10 + Chairman

Joseph Welch, Chairman
Laureen Boles
Travis Coles
Elizabeth Epstein
Joseph Ervin
Karen Jarrett
Wayne Noha
Eula Parker
Lee Smith
Dwayne Stephens
Maliak Watkins

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

APPROVAL Votes: 10	DENIAL Votes: 0	ABSENT
Welch Boles Coles Epstein Jarrett Noha Parker Smith Stephens Watkins		Llyod Ervin Joyner Woiwode

Respectfully submitted,



Melanie Wilson
Executive Director

/jh

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
METROPLTAN PLANNING COMMISSION

“Planning the Future, Respecting the Past”

STAFF REPORT



Figure 1 Location Map

File No. 21-002668-ZA

Location: 9 W 43rd Street

PIN: 20074 24002 Acreage: .26

Prepared by Marcus Lotson, Director

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Summary of Request

The petitioner is requesting a special use permit to operate a restaurant with alcohol sales at the location of the subject property. Restaurants are a permitted use in the TC-1 zoning district; however, a special use permit is needed to sell alcohol from restaurants in this zoning district.

Background

The subject property is located on the south side of West 43rd Street bounded to the east by Bull Street, Victory Drive to the south, and Whitaker Street to the west. The subject property is 11,520 square feet in size or .26 acres with a lot width of 120 ft and lot depth of 90 ft. The subject property was created from a recombination of two lots in 2017 (17-006816-SUBP). The property is developed with a vacant two-story residential building that is currently being rehabilitated and converted to a restaurant/coffee shop.

Existing Development Pattern

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

<u>Location</u>	<u>Land Use</u>	<u>Designation</u>
North	Two-family residential and vacant commercial	TC-1
East	vacant commercial	TC-2
South	restaurant and vacant commercial	TC-2
West	vacant commercial ad event venue	TC-1

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 Comprehensive Plan Future Land Use Map designates the subject property as Traditional Commercial. The Comprehensive Plan defines the Traditional Commercial land use category as “a business area in close proximity to downtown or in an outlying historically settled area having a development pattern characteristic of the Planned Town, Streetcar, and Early Automobile eras. This category includes residential uses that are compatible with the character of adjacent neighborhoods.” The specific use as a restaurant is compatible with the intent of the Comprehensive Plan’s Future Land Use category of the subject property.

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

Staff Comment: Per Section 8.7.24(b)(iii) of the Zoning Ordinance, alcohol sales are limited to on-premises consumption only. This standard can be achieved by adhering to existing regulations.

- 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: It does not appear that the proposed special use will have a detrimental impact on the general vicinity of the subject property; there are several preexisting restaurants within the area. The applicant is proposing to provide off-street parking

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

Staff Comment: Yes, the subject property is adequate in shape and size to accommodate restaurant 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: The special use does not appear to have the potential to damage any natural, cultural, or scenic importance to the general vicinity of the subject property.

Analysis:

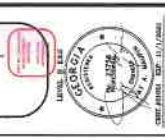
The subject property is located in the evolving area of the Metropolitan neighborhood and Streetcar Historic District popularly known as Starland. The immediate vicinity is developed with restaurants, bars, and commercial stores. There is a two-family residence across the street from the subject property. This residence is on a lot that is also developed with a vacant commercial structure. Abutting this residence to the east is another food serving establishment. This is the only residentially developed property in the immediate vicinity. TC-1 is a zoning district that permits a mix of residential and commercial uses given they meet certain criteria. The addition of a commercial use (restaurant with alcohol sales) to this immediate area is not likely to disrupt the existing character of the area. The subject property and the two-family residence are the only properties that have frontage on this portion of West 43rd Street.

Public Notice

Mailed notice of the Planning Commission meeting was sent to all property owners within 300 feet of the subject property, signs were posted on site and required newspaper advertisements were run. The notice included instructions on how to access the meeting over the internet.

RECOMMENDATION: Based upon the review criteria, The Planning Commission recommends the **approval** of the request for a special permitted use of a restaurant with alcohol sales at 9 West 43rd Street **with the following condition:**

- The restaurant shall operate only between the hours of 7am and 10pm.



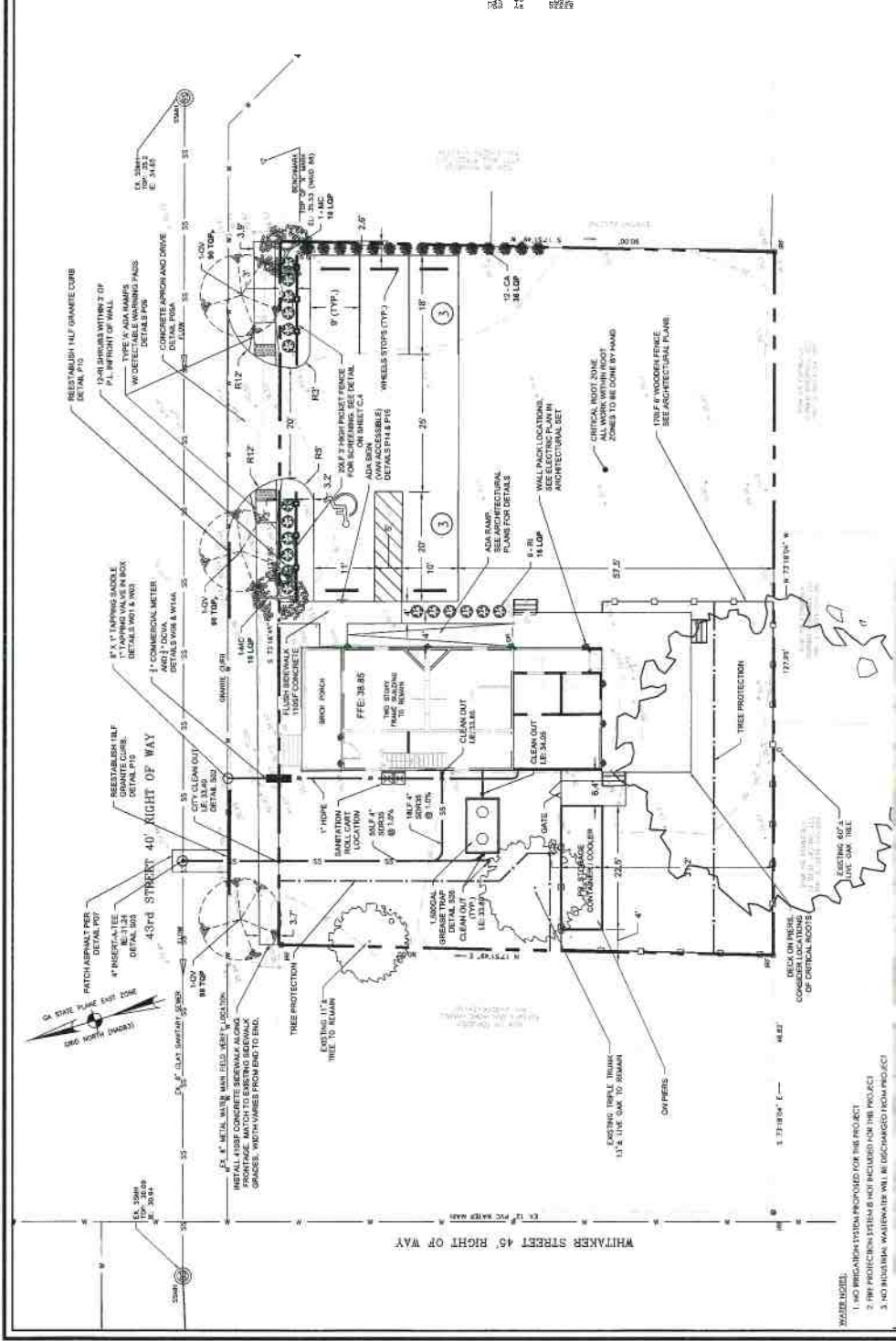
RELEASED FOR CONSTRUCTION
 DATE: 11/15/2013
 DRAWN BY: JAC/2013
 CHECKED BY: JAC/2013
 SCALE: 1" = 10'



Landscape Requirement Calculations

Total Parcel Area, TA	0.25	Acres
Greenhouse	0.16(65)	Acres (%)
Parking Coverage (1,356sq)	11.4	(%)
Parking Area, PA	0.04	Acres
Impervious Area, IA	0.00	Acres
Impervious Area, IAs	0.26	Acres
TOP Required (TA - IAs)	418	TOP
TOP Required (PA - IAs)	104	TOP
TOP Contingency Planned (TOP * 25%)	104	TOP
TOP Provided	2,413	TOP
LOP Provided	---	LOP
TOP Provided	2,683	TOP
Parking TOP Provided	270	TOP
Parking TOP Provided	180	TOP
LOP Provided	107	LOP

Landscape Requirement Met

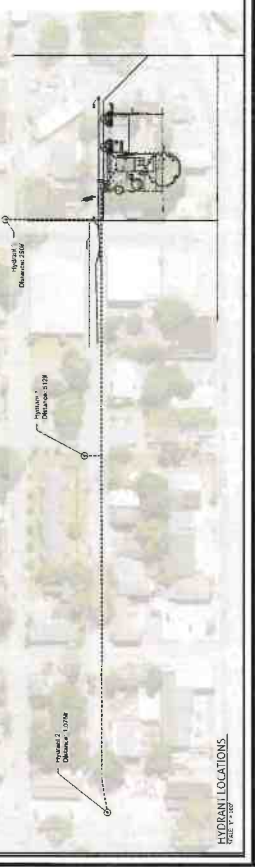
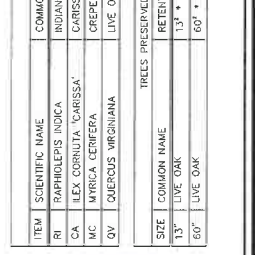


PLANTING SCHEDULE

ITEM	SCIENTIFIC NAME	COMMON NAME	BTY	SIZE	SPACING	TOP	LOP
R1	RAPHAELIS INDICA	INDIAN HANTHORN	18	1 GAL	3' OC	---	54
CA	ILEX CORNUTA 'CORISSA'	CORISSA HOLLY	12	1.5 GAL	3' OC	---	36
MC	MIRICA CERIFERA	CREPE MYRTLE	2	1.0' CALIPER	5' OC	---	20
OV	QUERUS VIRGINIANA	LIVE OAK	3	2.5' CALIPER	AS SHOWN	270'	---
					TOTAL	270	107

TREES PRESERVED

SIZE	COMMON NAME	RETENTION CALC	TOP	LOP
1.5"	LIVE OAK	1.5" * 1.5RTP	253.5	---
6.0"	LIVE OAK	6.0" * 1.5RTP * 40%	2,180	---
		TOTAL	2,433.5	---



VICINITY MAP

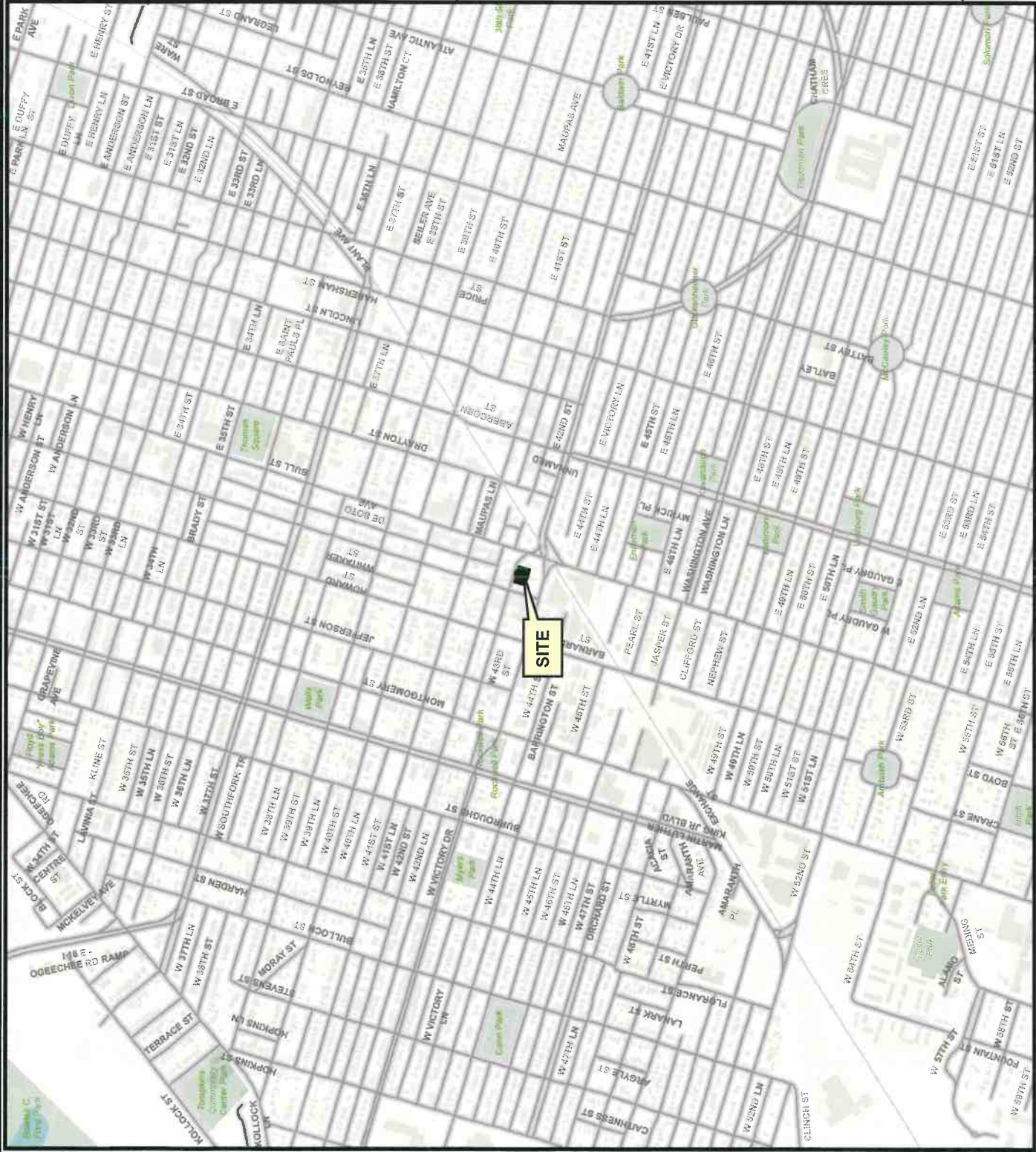
21-002668-ZA
 9W, 43rd St.
 Savannah, Ga
 Aldermanic District: 2 (Leggett)
 Commission District: 2 (Rivers)
 Neighborhood: See Map
 PIN(s): See Map

SPECIAL USE PERMIT REQUEST

Date 5/17/2021



CHATHAM COUNTY · SAVANNAH
 METROPOLITAN PLANNING COMMISSION
 110 E. STATE ST., SAVANNAH, GA 31412-3246 PHONE 912-851-1440



1 inch = 1,000 feet

THIS MAP IS A COMPILATION OF INFORMATION FROM VARIOUS SOURCES AND SCALES. IN MOST CASES THE INFORMATION HAS NOT BEEN FIELD VERIFIED. USE THIS MAP FOR GENERAL PLANNING PURPOSES ONLY.

AERIAL MAP

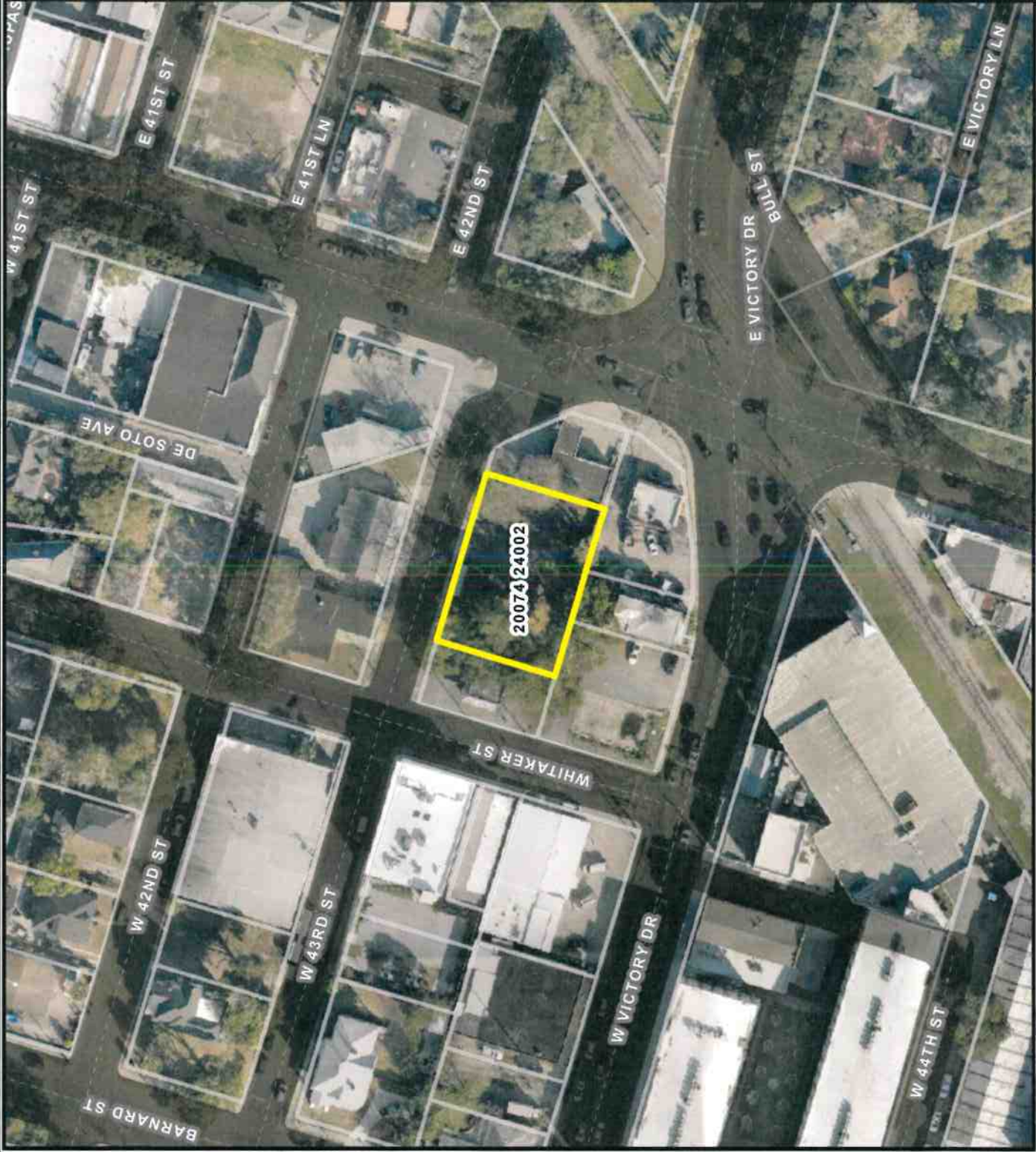
21-002668-ZA
9W. 43rd St.
Savannah, Ga
Aldermanic District: 2 (Leggett)
Commission District: 2 (Rivers)
Neighborhood: See Map
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SPECIAL USE PERMIT REQUEST

Date 5/17/2021



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1 inch = 100 feet

0

ZONING MAP

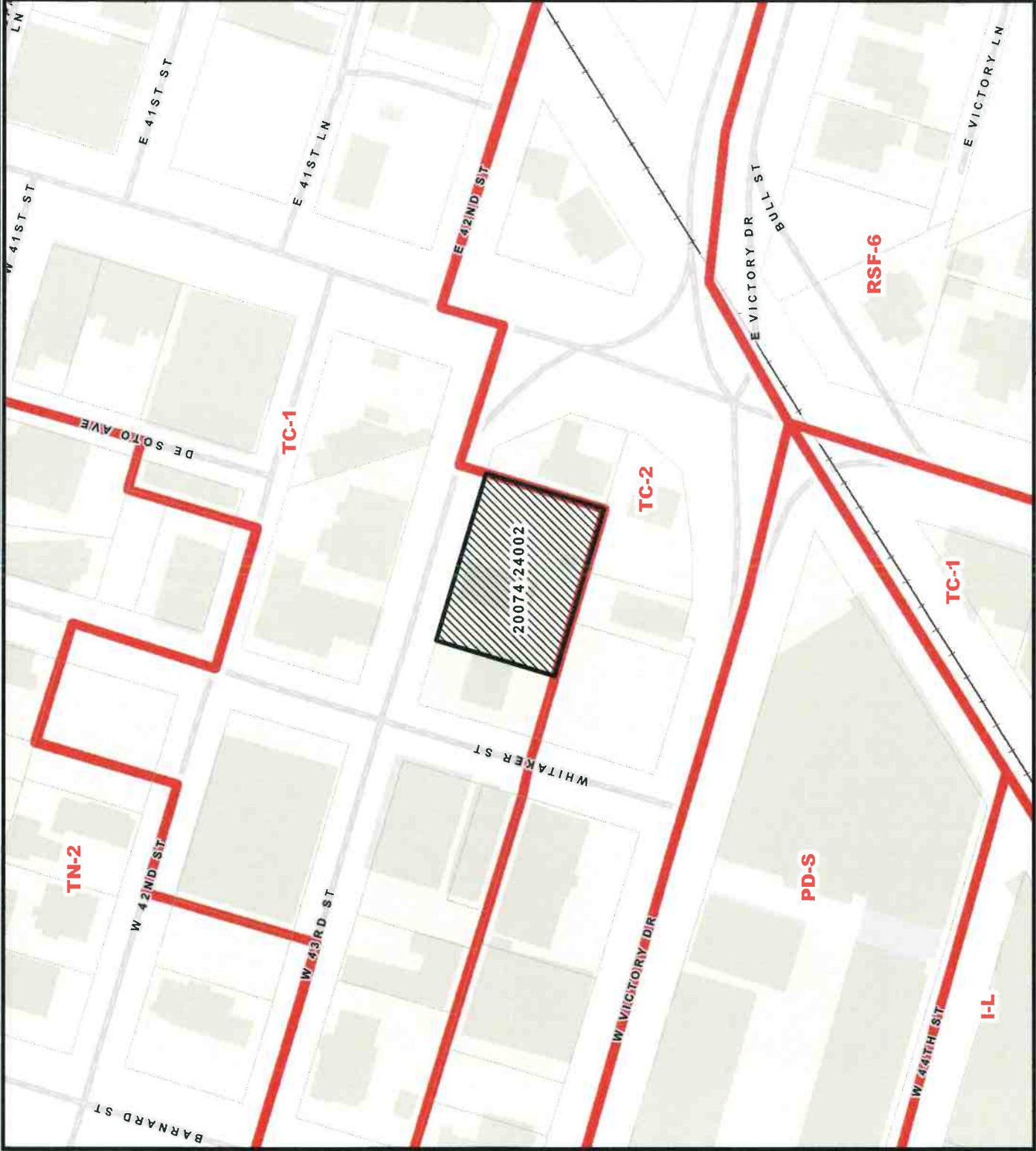
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1 inch = 100 feet

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FUTURE LAND USE

21-002668-ZA
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 Savannah, Ga
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 Commission District: 2 (Rivers)
 Neighborhood: See Map
 PIN(s): See Map

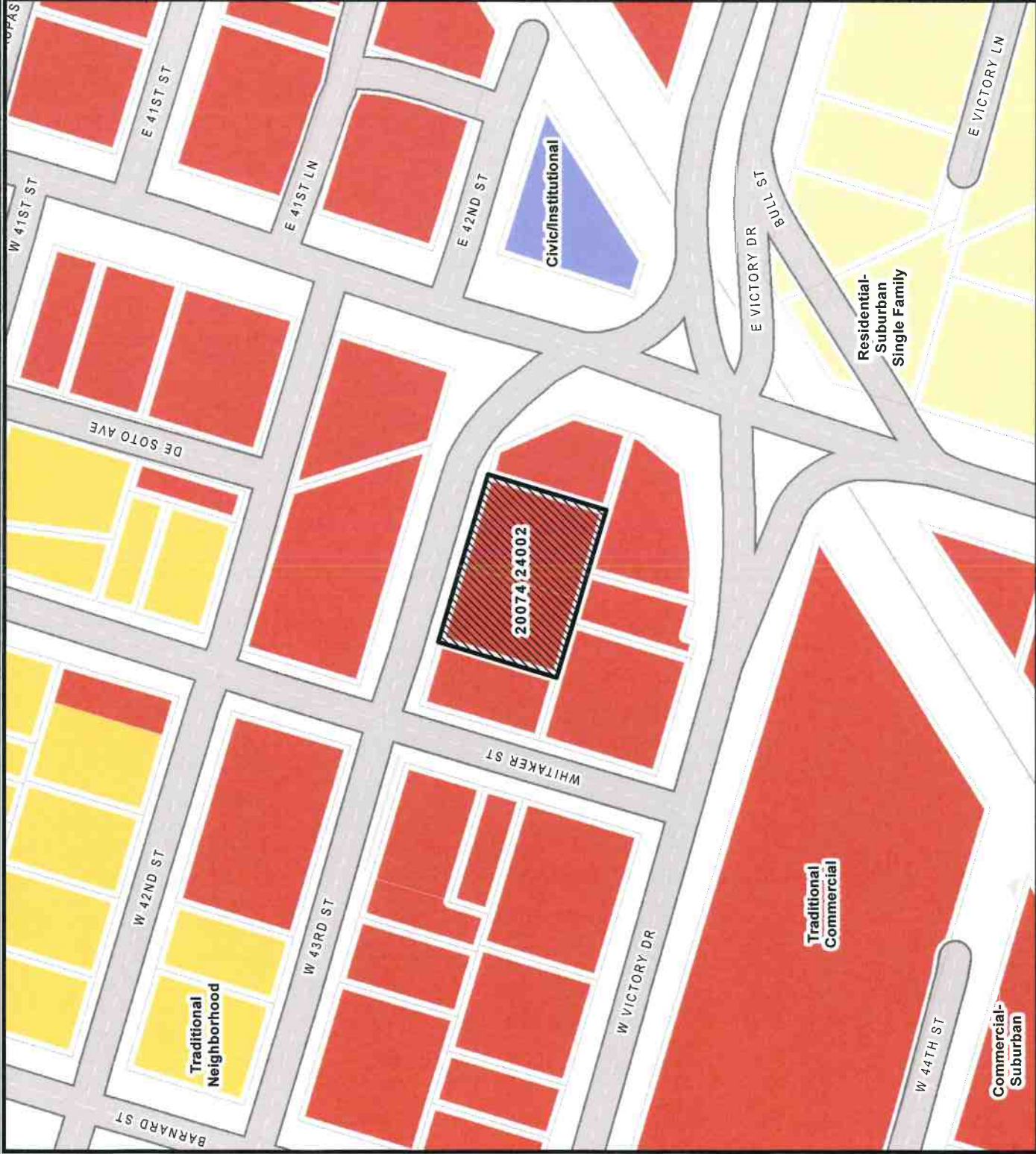
SPECIAL USE PERMIT REQUEST

Date: 5/17/2021



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 110 E. STATE ST. SAVANNAH, GA 31412-8246 PHONE 912-851-1440

- Traditional Commercial
- Traditional Neighborhood
- Commercial - Suburban
- Residential - Suburban Single Family
- Civic/Institutional



1 inch = 100 feet

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D

consultants:

Revision	Date	Description
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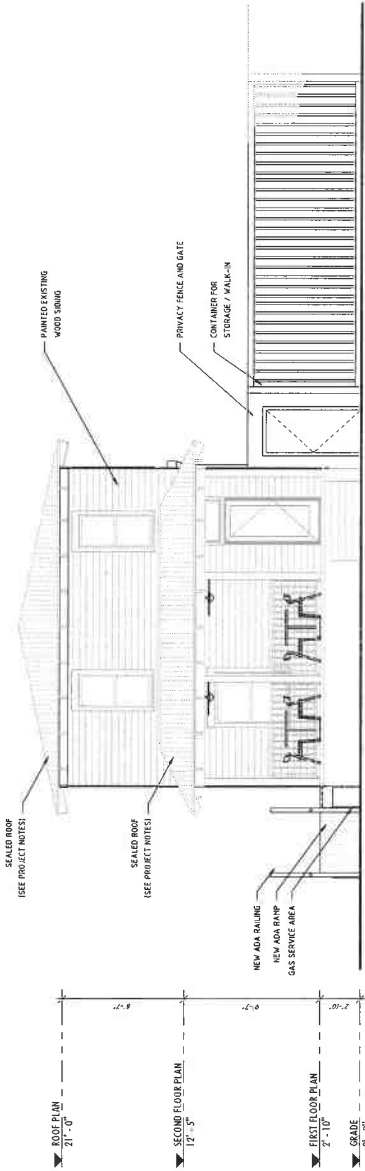
11 WEST 43RD STREET
SAVANNAH, GEORGIA 31401

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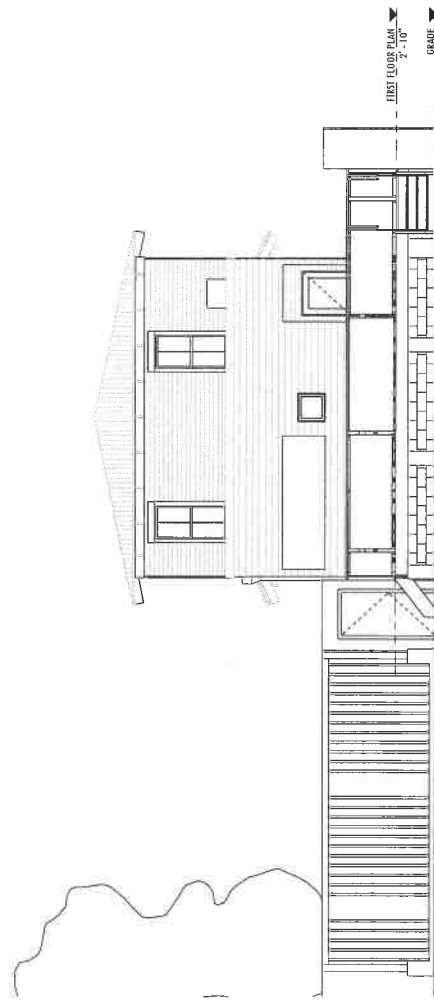
Date: 10/20/19
Job Number: 1921
Drawn by: Author
Checked by: Checker

BUILDING ELEVATIONS

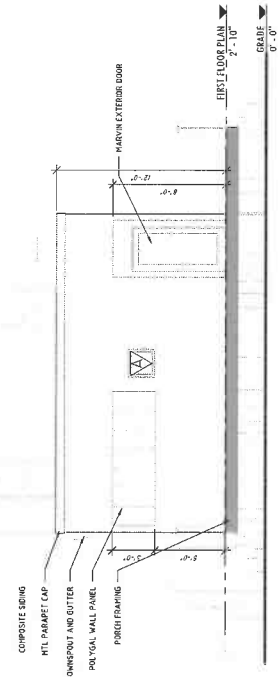
SHEET: **A2.1**



1 BUILDING ELEVATION - NORTH
1/4" = 1'-0"



2 ELEVATION-SOUTH - BACK
1/4" = 1'-0"



3 ELEVATION-SOUTH
1/4" = 1'-0"

ELEVATION NOTES



ARCHITECTS
 Post Office Box 1337
 Savannah, Georgia, 31402
 (912) 232-5561

CONDITIONS:	

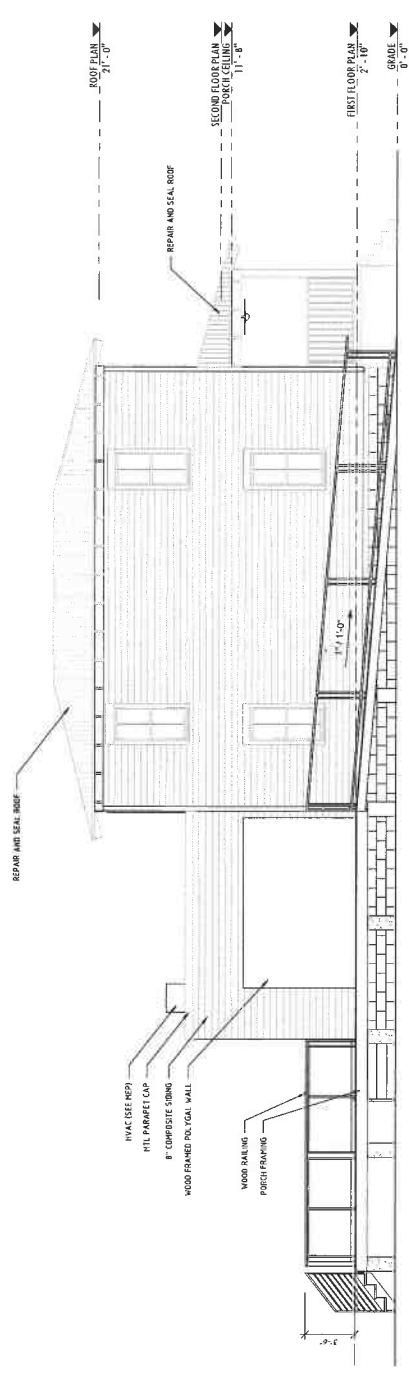
Revision	Date	Description

11 WEST 43RD STREET
 SAVANNAH, GEORGIA 31401

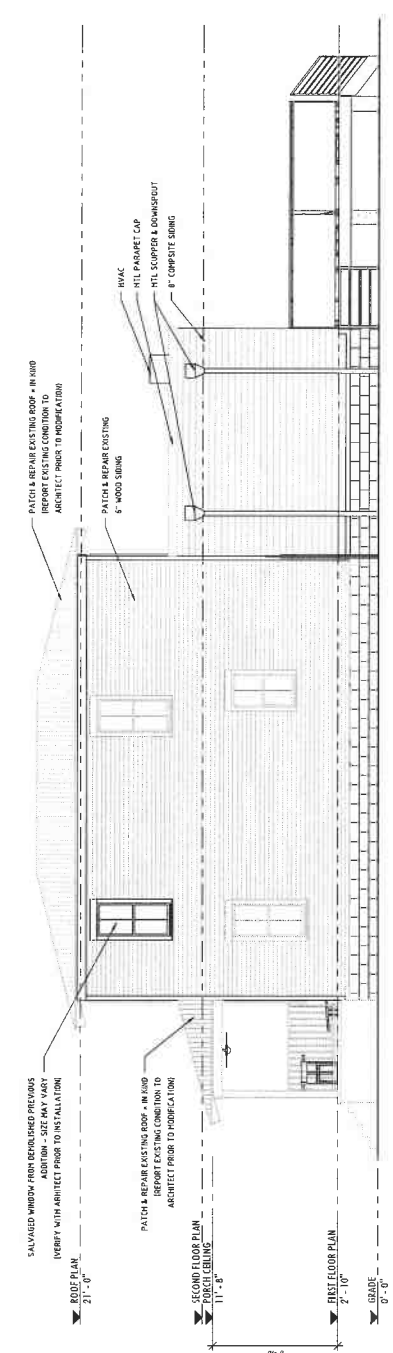
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 THE WRITTEN PERMISSION OF LOWMEYER KUTYAN SMITH
 ARCHITECTS.

Date: 10/20/19
 Job number: 1971
 Drawn by: JK
 Check by: ACS

BUILDING ELEVATIONS
 SHEET
A2.0



1 ELEVATION - EAST 1
 1/4" = 1'-0"



2 ELEVATION - WEST 2
 1/4" = 1'-0"