



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: DECEMBER 15, 2020
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC RECOMMENDATION

PETITION REFERENCED:

File No. 20-005549-ZA

Special Use Request for Restaurant with Alcohol Sales

Farm Savannah Properties LLC., Owner

J. Patrick Connell, Agent

122 East 37th Street

Aldermanic District: 2 – Leggett

County Commission District: 2 - Holmes

Property Identification Number: 20065 14007

MPC ACTION:

Approval of the Special Use request to establish a restaurant with alcohol sales.

MPC STAFF RECOMMENDATION:

Approval of the Special Use request to establish a restaurant with alcohol sales.

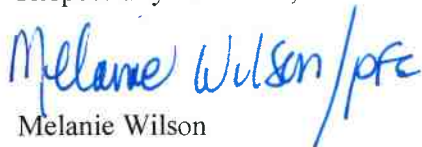
MEMBERS PRESENT: 9 + Chairman

Ellis Cook, Chairman	Linder Suthers
Michael Brown	Joseph Welch
Travis Coles	Tom Woiwode
Joseph Ervin	
Karen Jarrett	
Tanya Milton	
Wayne Noha	

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

APPROVAL Votes: 10	DENIAL Votes: 0	ABSENT
Cook Brown Coles Ervin Jarrett Milton Noha Suthers Welch Woiwode		Parker Manigault Smith

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





METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

TO: The Mayor and Aldermen, City of Savannah

FROM: The Planning Commission

DATE: December 15, 2020

**SUBJECT: Special Use Request
Farm Savannah Properties LLC., Owner
J. Patrick Connell, Agent
122 East 37th Street
Aldermanic District: 2 – Leggett
County Commission District: 2 - Holmes
Property Identification Number: 20065 14007
File No. 20-005549-ZA**

Marcus Lotson, MPC Project Planner

REPORT STATUS: Initial Report

Issue:

The petitioner is requesting approval of a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to establish a restaurant with alcohol sales. The Special Use process includes review by the Planning Commission and the Savannah City Council. Should the uses be approved by Council, a permit will be granted by the City of Savannah which will be governed by the permit enforcement criteria outlined in Article 3 of the Savannah Zoning Ordinance.

Background:

The subject property is located at 122 East 37th Street on the northwest corner of the intersection of East 37th Street and Abercorn Street. The parcel is developed with a 3,800 square foot building constructed in 1890 as a residence. It has operated previously as a gallery and antique store and has recently undergone renovation. The property is within the TC-1 zoning district. Per Section 8.7.24 (b) (ii) the proposed use requires Special Use approval when located in the TC-1 zoning district.

1. **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 rezoning. Public notice was posted on site.

2. **Existing Zoning and Development Pattern:** The land uses and zoning districts surrounding the subject site include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Restaurant	TC-1
South	Florist	TC-2
East	Institutional	TC-1
West	Commercial	TC-1

3. **General Provisions 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](#).

4. **Review Criteria for Special Use Permits - Sec 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 a TC-1 (Traditional Commercial) zoning classification as well as a Traditional Commercial Land Use designation in the Comprehensive Plan. The requested use is consistent with this designation at this location, on an arterial roadway within a mixed-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: Per Section 8.4.32, the proposed use shall be located on a collector or arterial roadway. It meets that requirement.

- 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.

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

Staff Comment: The building underwent renovation to accommodate the proposed use. It appears to be adequate to serve 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 already present.

- 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. The renovation of this historic property met the requirements of the Historic Preservation Ordinance.

ALTERNATIVES:

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

POLICY ANALYSIS:

The special use provisions of the Savannah Zoning Ordinance are designed to allow the reviewing authorities to consider the establishment of uses in zoning districts, where the use may be appropriate but should not be allowed by right. The review criteria outlined in Section 3.10.8 are the standards for considering a special use. In review of the standards, it appears that the subject property and proposed use meet the requirements.

This portion of the Streetcar District is developed with a mix of uses. These include retail, restaurants, residential and institutional. The existing building has operated in a nonresidential capacity for many years without creating negative impacts. A similar facility exists on the south side of East 37th Street and is an example of what is being proposed by the applicant.

RECOMMENDATION:

The Planning Commission finds that the property and proposed use meet the criteria for special use approval. Staff therefore recommends **approval.**

VICINITY MAP

20-005549-ZA
 122 E. 37th St.
 Savannah, Ga
 Aldermanic District: 2 (Leggett)
 Commission District: 2 (Holmes)
 Neighborhood: Thomas Square
 District Area
 PIN(s): See Map

Date: 11/19/2020

 CHATHAM COUNTY · SAVANNAH
METROPOLITAN PLANNING COMMISSION
 110 E. STATE ST. SAVANNAH, GA 31412-8246 PHONE 912-851-1540



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.

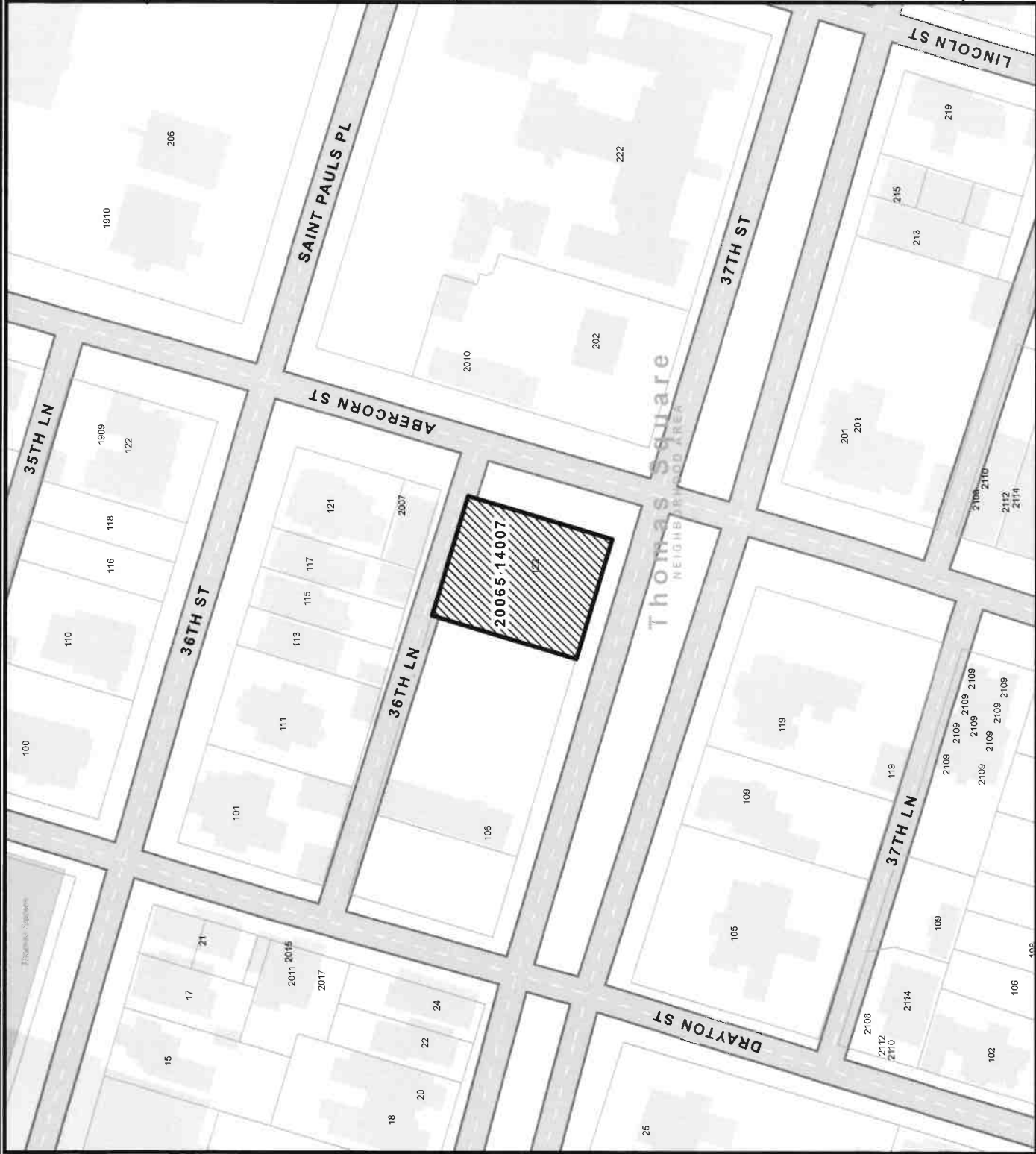
TAX MAP

20-005549-ZA
122 E. 37th St.
Savannah, Ga
Aldermanic District: 2 (Leggett)
Commission District: 2 (Holmes)
Neighborhood: Thomas Square
District Area
PIN(s): See Map

Date: 11/19/2020



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1 inch = 100 feet

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D

ZONING MAP

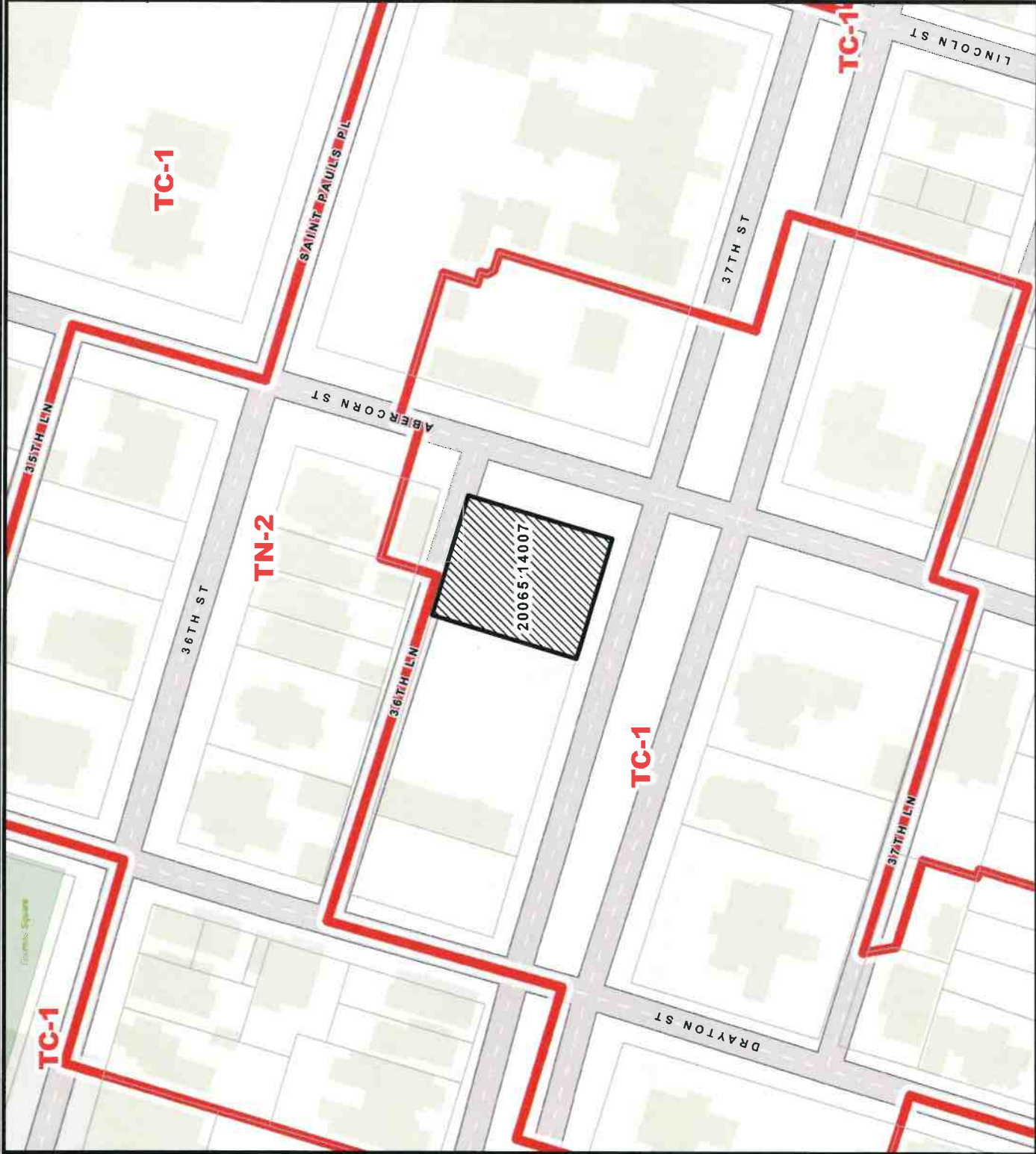
20-005549-ZA
122 E. 37th St.
Savannah, Ga
Aldermanic District: 2 (Leggett)
Commission District: 2 (Holmes)
Neighborhood: Thomas Square
District Area
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City of Savannah NewZo_Zoning When Applicable

Date 11/19/2020



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