



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: JUNE 8, 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 conditions stated in the staff report.

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 conditions stated in the staff report.

MEMBERS PRESENT: 8 + Chairman

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

PLANNING COMMISSION VOTE: Approve Staff Recommendation (9-0)

APPROVAL Votes: 9	DENIAL Votes: 0	ABSENT
Welch Boles Epstein Jarrett Noha Parker Smith Stephens Watkins		Brown Coles 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



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 only serving alcoholic beverages in glasses or dishes not considered “to-go”.

- 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 a barbeque restaurant. 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.

The site plan submitted by the applicant has the specific restaurant use listed as a coffee shop. The submitted plans show the proposal to be a two-story structure with an area of 1,744 square feet and an outdoor dining deck of 465 sq feet. There are 17 off-street parking spaces being proposed on the subject property and an unstriped area labeled as overflow parking. The subject property is in the Victorian and Streetcar Parking District and is permitted a reduction to the off-street parking requirement by 25%. The total square footage of the proposed building and the outdoor dining area reduced by 25% produces a required number of 22 parking spaces. The overflow parking area may be able to provide for the 5 more spaces needed. A designated off-street loading space is not detailed on the provided plans. Given the nature of the restaurant, a loading space may not be necessary.

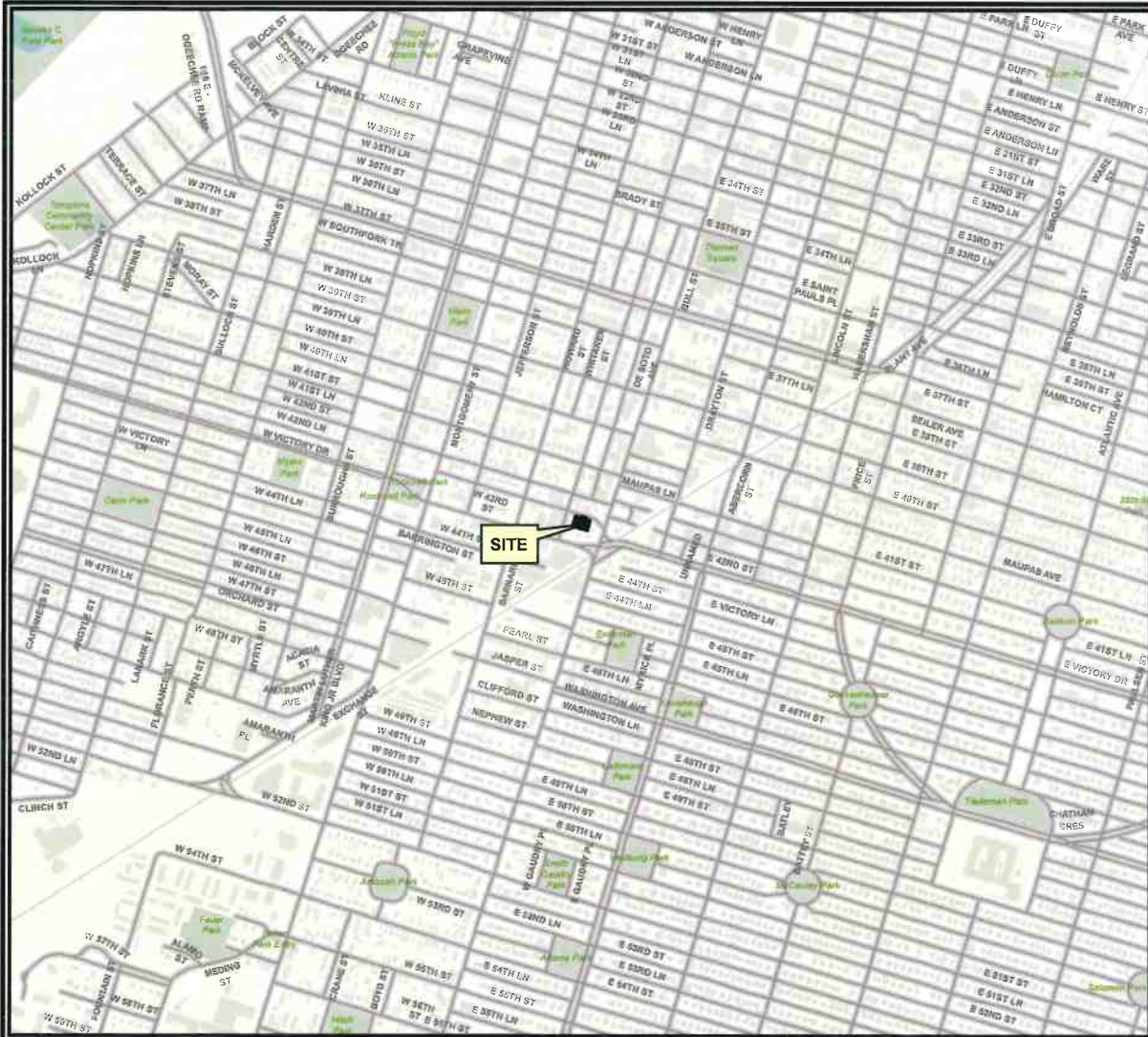
Public Notice

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, Staff 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 conditions:**

- The restaurant only operate between the hours of 7am and 10pm.
- The overflow parking area provide a minimum of 5 parking spaces.

Note: Staff's recommendation is based upon information contained in the application and discussions with the Applicant. This recommendation could change based on information gathered during the public hearing.



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

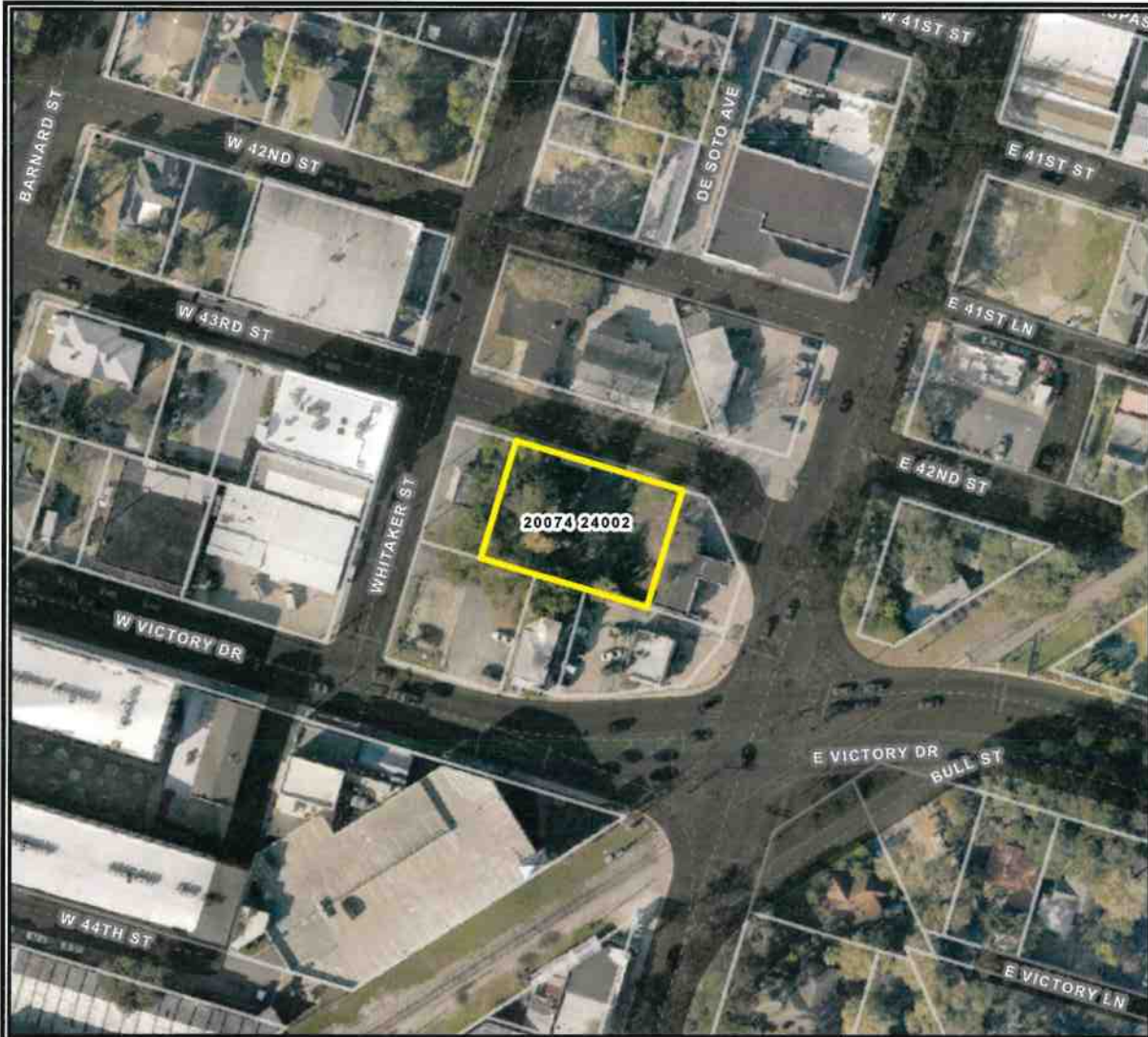
Date: 5/17/2021


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.



1 inch = 1,000 feet

CHATHAM COUNTY - SAVANNAH
METROPOLITAN PLANNING COMMISSION
 110 E. STATE ST. SAVANNAH, GA 31412-8245 PHONE 912-691-1440



AERIAL 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 31412-9246 PHONE 912-651-1400

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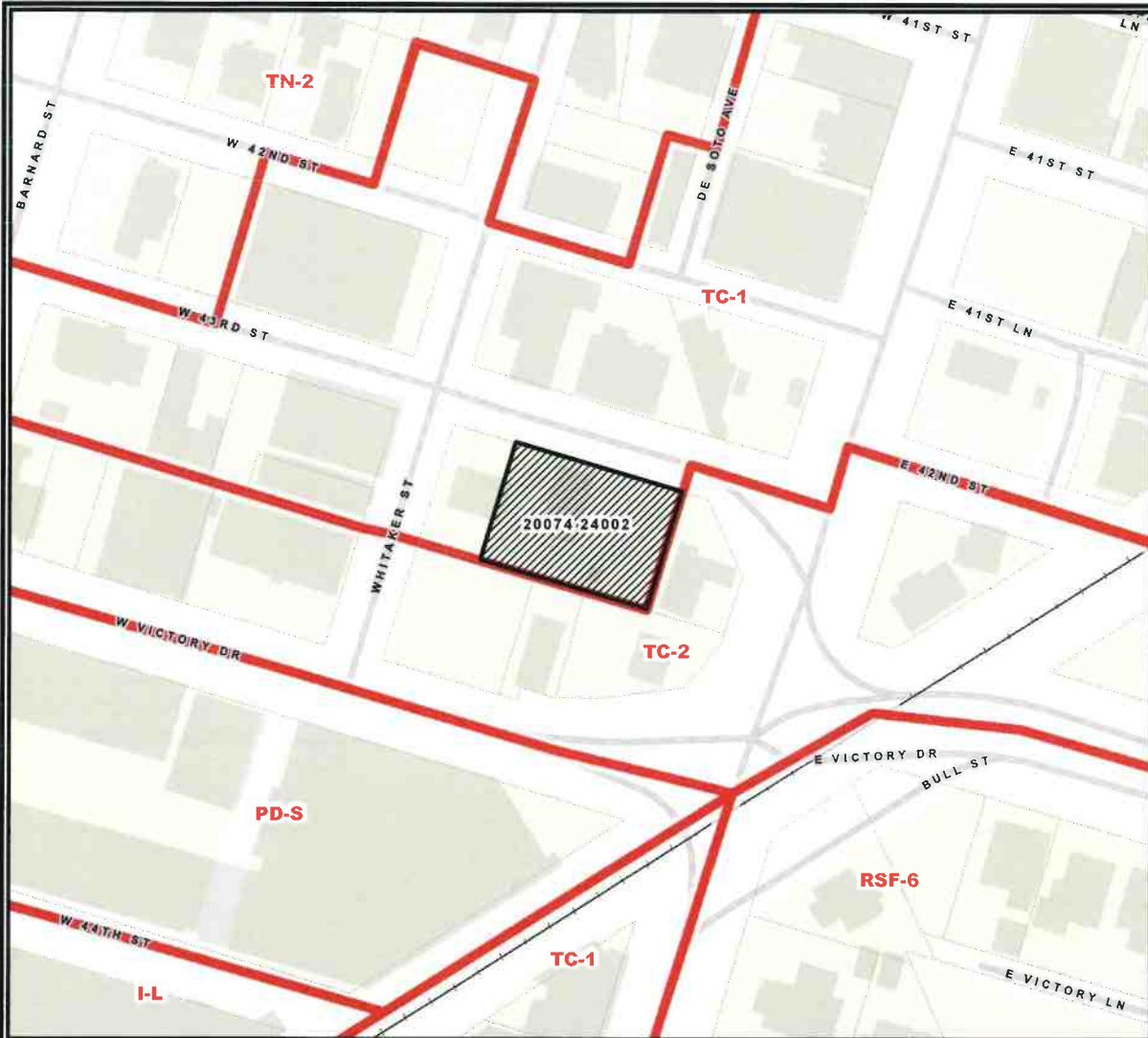


1 inch = 100 feet

ZONING 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

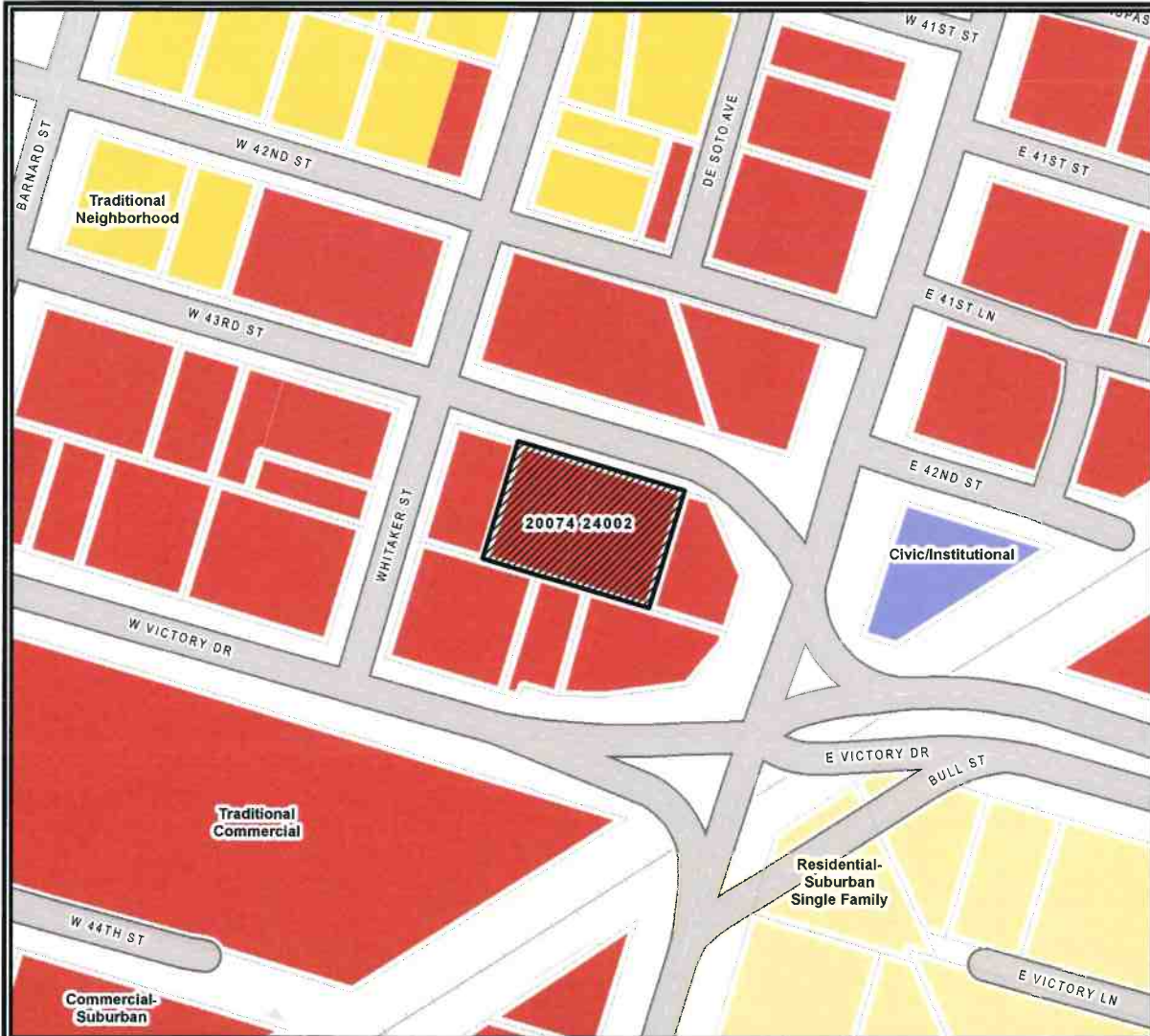


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1 inch = 100 feet



FUTURE LAND USE

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

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

Date: 5/17/2021

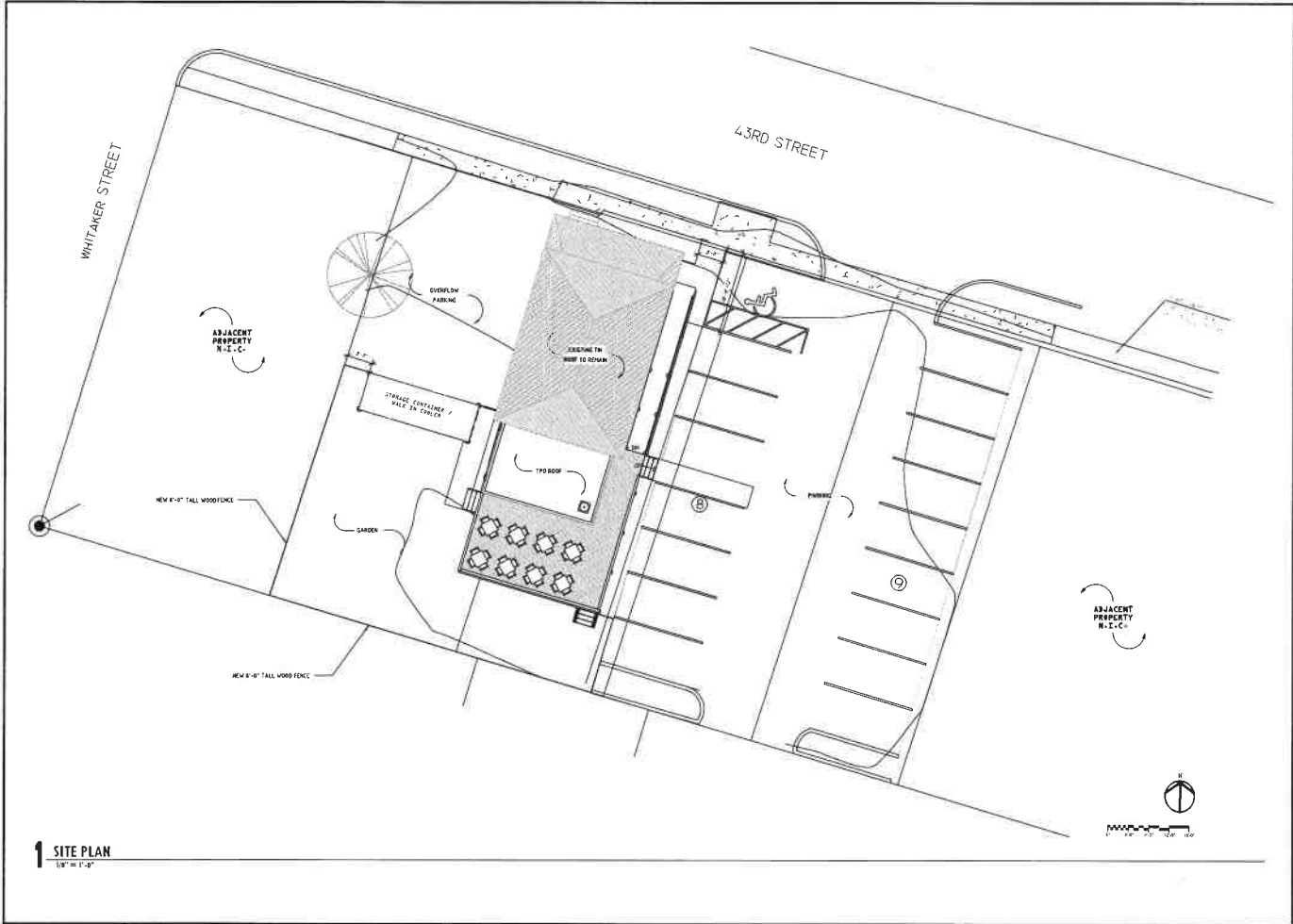


CHATHAM COUNTY - SAVANNAH
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 110 E. STATE ST. SAVANNAH, GA 31412-8246 PHONE 912-651-1440

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1 inch = 100 feet



**LOMINACK
KOLMAN
SMITH**
Architects
First Office Box 1287
Savannah, Georgia 31402
(919) 225-5541

PROJECT NO.:

DATE:

Revision	Date	Description

**11 WEST 43RD STREET
SAVANNAH, GEORGIA 31401**

DATE: 10/20/19
JOB NUMBER: 1921
DRAWN BY: JK
CHECKED BY: AKS

SITE PLAN

AO.0



Permit No. 1587
Savannah, Georgia, 31402
(912) 222-5541

consultant:

Revision	Date	Description

11 WEST 43RD STREET
SAVANNAH, GEORGIA 31401

The firm assumes no responsibility for the accuracy of the information shown on this drawing, and shall not be held responsible for any errors or omissions. The user of this drawing shall be held responsible for the accuracy of the information shown on this drawing.

AutoCAD: 10/20/19
Job Number: 1921
Drawn By: E. Smith
Checked By: E. Smith

BUILDING ELEVATIONS

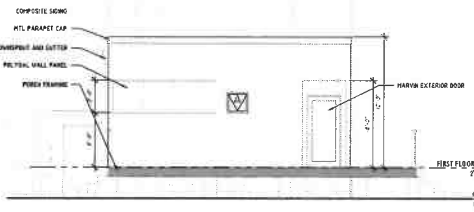
SHEET: **A2.1**



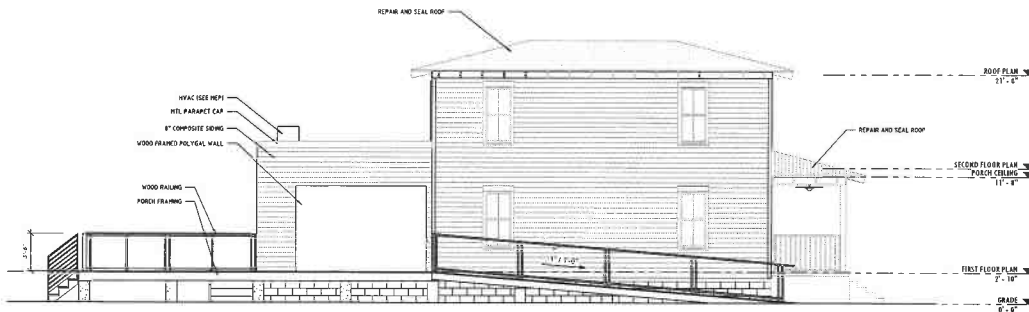
1 BUILDING ELEVATION - NORTH
1/4" = 1'-0"



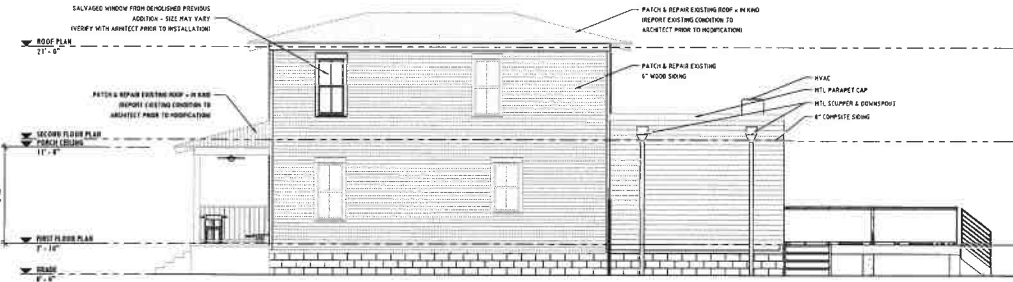
2 ELEVATION-SOUTH - BACK
1/4" = 1'-0"



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



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



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

ELEVATION NOTES



Architects
Four Offices One Firm
Savannah, Georgia, 31402
(912)232-5541

Revision	Date	Description

11 WEST 43RD STREET
SAVANNAH, GEORGIA 31401

It is assumed an unexcused absence, including for any reason, shall be considered as a resignation. The firm, its clients and the project are not responsible for any actions or inactions of any individual employee.

DATE: 10/20/19
JOB NUMBER: 1921
DRAWN BY: JK
CHECKED BY: AGC

BUILDING ELEVATIONS
SHEET: **A2.0**