



**METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**DATE:** NOVEMBER 24, 2020  
**TO:** THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH  
**FROM:** METROPOLITAN PLANNING COMMISSION  
**SUBJECT:** MPC RECOMMENDATION

**PETITION REFERENCED:**

**Re:** Special Use Permit to Allow a Restaurant with Alcohol Sales  
1313 Habersham Street LLC, LLC, Petitioner  
Robert McCorkle (McCorkle, Johnson & McCoy, LLP),  
Agent  
File No. 20-005243-ZA

**MPC ACTION:**

**Approval** of the Special Use Permit to allow a restaurant with alcohol sales.

**MPC STAFF RECOMMENDATION:**

**Approval** of the Special Use Permit to allow a restaurant with alcohol sales.

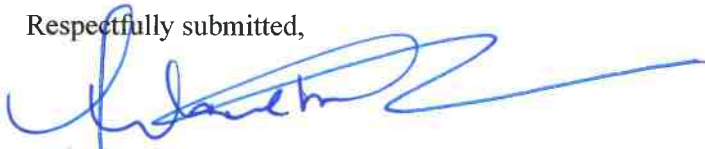
**MEMBERS PRESENT:** 8 + Vice-Chairman

Joseph Welch, Vice-Chairman  
Travis Coles  
Joseph Ervin  
Karen Jarrett  
Tanya Milton  
Wayne Noha  
Eula Parker  
Lee Smith  
Linder Suthers

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (8-0)

<b>APPROVAL</b> Votes: 8	<b>DENIAL</b> Votes: 0	<b>ABSENT</b>	<b>ABSTAINED</b>
Coles Ervin Jarrett Milton Noha Parker Suthers Smith		Brown Cook Manigault Woiwode	Welch

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:** November 24, 2020

**SUBJECT:** Special Use Request  
1313 Habersham Street, LLC., Owner  
Mordechai Levin, Agent  
1313 Habersham Street  
Aldermanic District: 2 – Leggett  
County Commission District: 2 - Holmes  
Property Identification Number: 20053 12003  
File No. 20-005243-ZA

Jordan Holloway, 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 be permitted 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 1313 Habersham Street on the northwest corner of Habersham Street and Anderson Street. The property is developed with a single-story commercial building of approximately 4,134 square feet in size. The building had operated as a coffee shop and is currently vacant. The petitioner is in the process of renovating the building's exterior, having received a COA from the Historic Preservation Commission with conditions. The request for the proposed special use, if approved by the Mayor and Aldermen, would allow restaurant with alcohol sales to be established at this location. The property is within the boundaries of the Victorian Historic District which is a mixed-use neighborhood. The neighborhood development pattern in the area includes single and multifamily residential uses, neighborhood services and retail.

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 also 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	Office/Residential	TN-1
South	Retail	TC-1
East	Institutional (SCAD)	TN-1
West	Residential	TN-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 uses are consistent with these designations at this location, on an arterial/collector 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:** There are no applicable special use standards for the proposed uses.

- 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:** The proposed use of restaurant with alcohol sales would not be a detriment to the public interest, health, safety, welfare, or function based on the identified criteria.

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

**Staff Comment:** The shape and size of the property and structure are adequate to accommodate the proposed uses.

- 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:** As this is an existing commercial building, 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.

**ALTERNATIVES:**

1. Approve the petitioner's request as presented.
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 meets the requirements.

**RECOMMENDATION:**

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

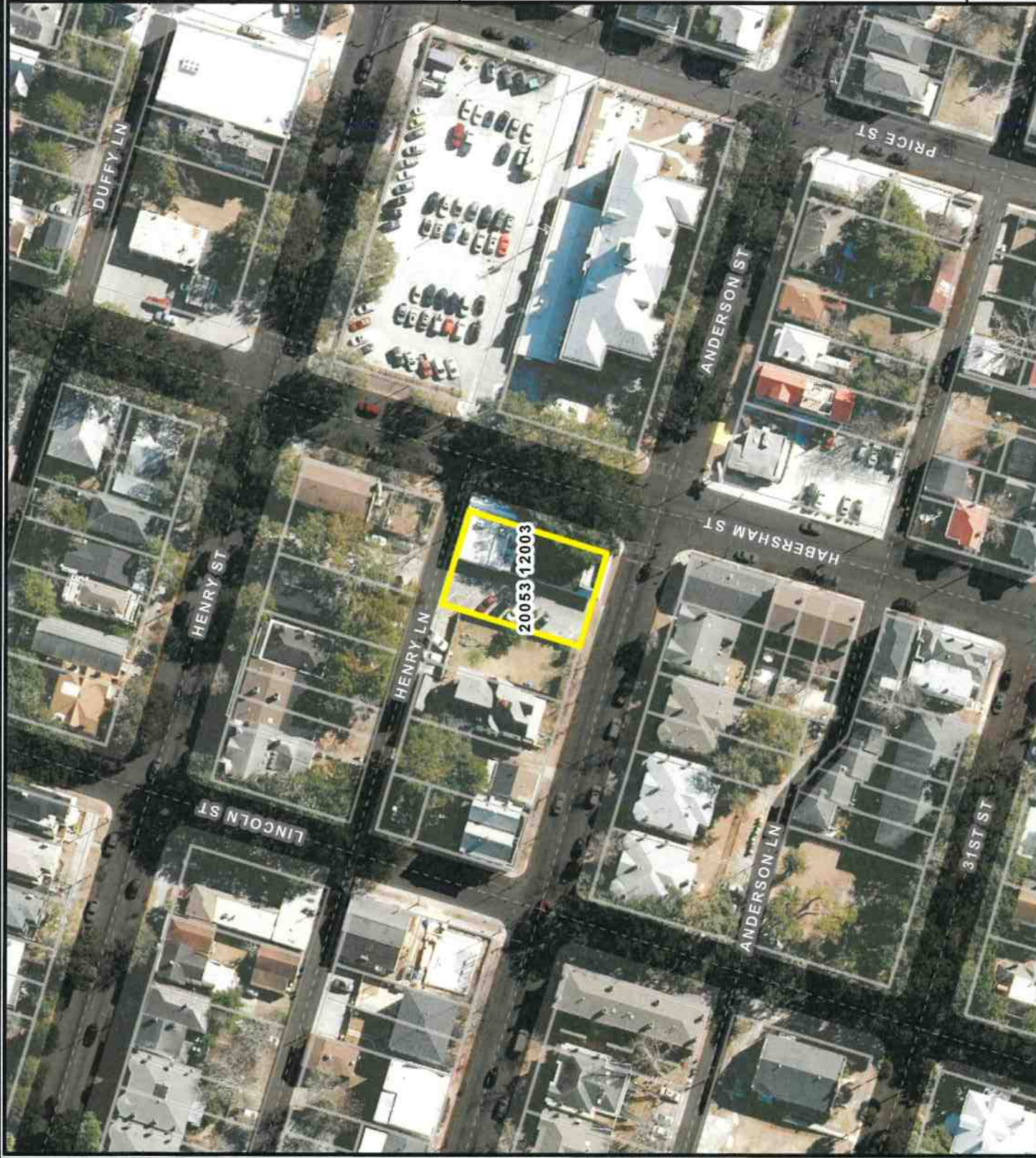
# ZONING MAP

20-005243-ZA  
1313 Habersham St.  
Savannah, Ga  
Aldermanic District: 2 (Leggett)  
Commission District: 2 (Holmes)  
Neighborhood: Victorian  
PIN(s): See Map

Date: 10/29/2024



CHATAM COUNTY - SAVANNAH  
METROPOLITAN PLANNING COMMISSION  
110 E. STATE ST. SAVANNAH, GA 31412-5246 PHONE 912-651-1440



1 inch = 100 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.

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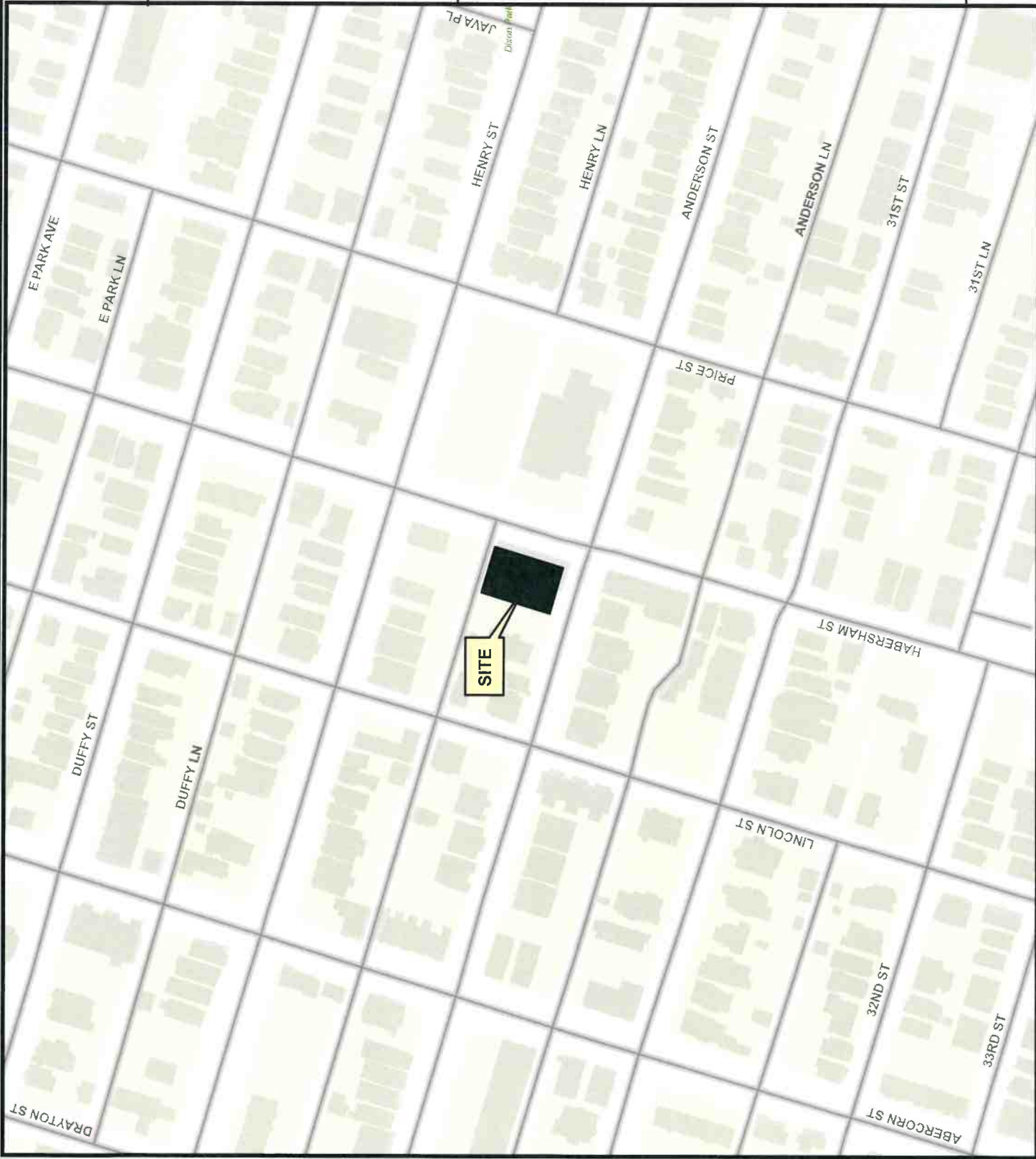
# VICINITY MAP

20-005243-ZA  
1313 Habersham St.  
Savannah, Ga  
Aldermanic District: 2 (Leggett)  
Commission District: 2 (Holmes)  
Neighborhood: Victorian  
PIN(s): See Map



Date: 10/28/2020

CHATHAM COUNTY SAVANNAH  
METROPOLITAN PLANNING COMMISSION  
110 E. STATE ST. SAVANNAH, GA 31412-3246 PHONE 912-651-1440



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1 inch = 200 feet



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# ZONING MAP

20-005243-ZA  
1313 Habersham St.  
Savannah, Ga  
Aldermanic District: 2 (Leggett)  
Commission District: 2 (Holmes)  
Neighborhood: Victorian  
PIN(s): See Map

Current property zoning(s) is primarily  
TC-1  
Proposed property zoning:

City of Savannah NewZo Zoning When Applicable

Date: 10/28/2020



CHATHAM COUNTY - SAVANNAH  
METROPOLITAN PLANNING COMMISSION  
110 E. STATE ST. SAVANNAH, GA 31412-5246 PHONE 912-651-1440



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1 inch = 50 feet

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