



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:** February 8, 2022  
**TO:** THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH  
**FROM:** METROPOLITAN PLANNING COMMISSION  
**SUBJECT:** MPC RECOMMENDATION

**PETITION REFERENCED:**

**Subject:** Special Use Request  
**Petitioner:** L. Robert Isaacson, Agent for Savannah Core, LLC  
**Property Owner:** L. Robert Isaacson  
**Address:** 527 East 39th Street  
**Alderman:** District 2 – Detric Leggett  
**County Commission:** District -2 – Larry Rivers  
**Property Identification Number:** 20075 05010  
**Melissa Leto, MPC Project Planner**  
**Agent:** Bridget Lidy  
**File No. 22-000150-ZA**

**MPC ACTION:** Approval of the request with conditions.

**MPC STAFF RECOMMENDATION:** Approval of the request with conditions.

**MEMBERS PRESENT:** 11 + Chairman

Joseph Welch, Chairman	Dwayne Stephens
Laureen Boles	Jay Melder
Travis Coles	Tom Woiwode
Elizabeth Epstein	
Joseph Ervin	
Karen Jarrett	
Wayne Noha	
Jeff Notrica	
Lee Smith	

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (12-0)

<b>APPROVAL</b> Votes: 12	<b>DENIAL</b> Votes: 0	<b>ABSENT</b>
Welch Boles Coles Epstein Ervin Jarrett Noha Notrica Stephens Smith Melder Woiwode		Watkins

Respectfully submitted,

Melanie Wilson  
Executive Director

MW/sh

Enclosure

cc Mark Massey, Clerk of Council  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Bridget Lidy, Department of Inspections  
Candra Teshome, Department of Inspections



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**METROPOLITAN PLANNING COMMISSION**

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**To:** The Metropolitan Planning Commission  
**From:** MPC Staff  
**Date:** February 8, 2022  
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**Property Owner:** L. Robert Isaacson  
**Address:** 527 East 39th Street  
**Alderman:** District 2 – Detric Leggett  
**County Commission:** District -2 – Larry Rivers  
**Property Identification Number:** 20075 05010  
**Petition File No.:** 21-006078-ZA  
**Melissa Leto, MPC Project Planner**

**REQUEST:**

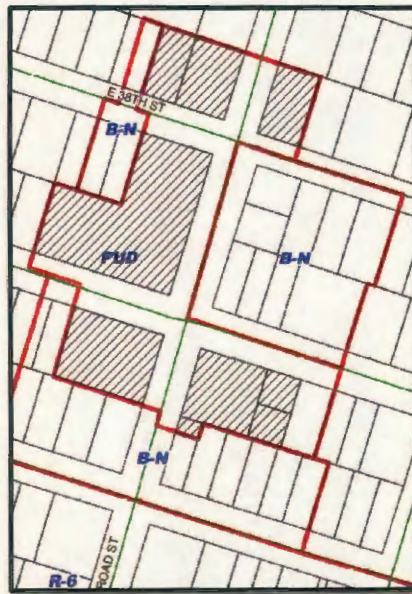
The petitioner is requesting approval of a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to establish a restaurant with onsite consumption of alcohol. The Special Use process includes review by the Planning Commission and the Savannah City Council. Should the use be approved by 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 527 East 39<sup>th</sup> Street on the south side of 39<sup>th</sup> Street between Price Street and East Broad Street. The parcel is 2,760 square feet in size and was developed with a single-family residence built in 1920. Prior to the update of the zoning ordinance in 2019, the property was zoned BN (Neighborhood – Business). However, the subject building was always used as a residence.

The parcel is now part of a Planned Development called East Broad Market PD. The original planned development included nine separate parcels comprising approximately 1.60 acres. The Mayor and Alderman rezoned the subject parcels from B-N (Neighborhood Business) and R-4 (Four Family

Residential) to the East Broad Market PD in 2010. In 2019, the petitioner amended the PD to allow for a microbrewery as a permitted use. On June 8, 2021, the petitioner requested and was approved to include the subject parcel, 527 East 39<sup>th</sup> Street as part of the East Broad Market PD. At the time the City Council approved the inclusion of 527 East 39<sup>th</sup> Street into the PD, they included a condition within the ordinance. The condition states, "Whereas, the parcel identified as 527 East 39<sup>th</sup> Street (PIN 20075 05010) must secure a Special Use Permit as provided in Sec. 3.10 for all uses permitted in the MU (Mixed Use) district. The Special Use Permit shall not be transferrable. Residential shall be exempt from this requirement."



*East Broad Market Planned Development in 2019 with 527 East 39<sup>th</sup> Street not included.*



*East Broad Market Planned Development approved to include 527 East 39<sup>th</sup> Street parcel in June of 2021.*



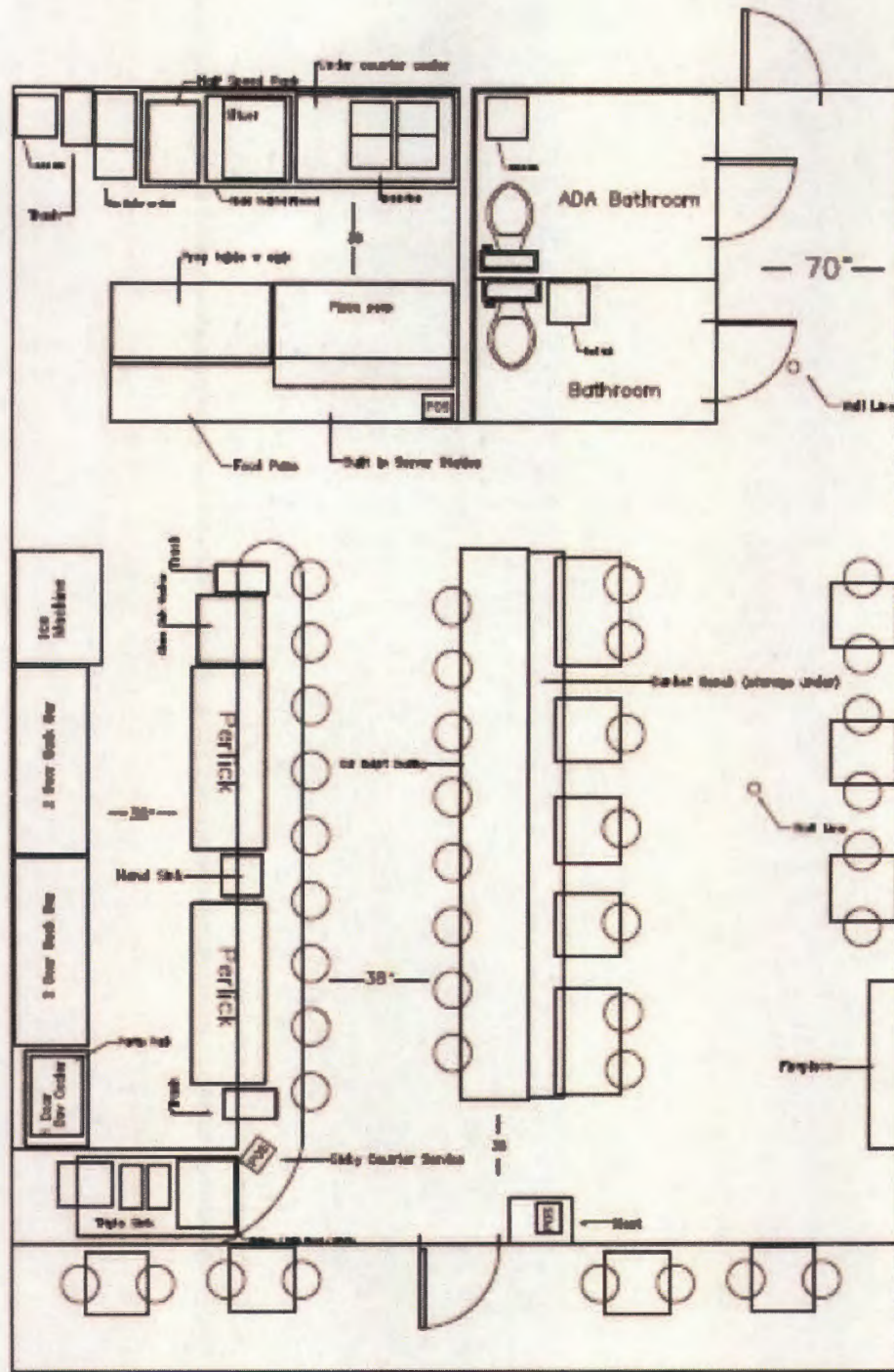
*Front of the building that will be used for the daytime café and the nighttime restaurant.*

1. **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.

2. **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	Multi-family apartments	East Broad Market PD
East	Hop Atomic – Food, Brewery & Distillery	East Broad Market PD
South	Single-family homes	TN-2
West	Single-family homes	TN-2



Floor Plan - Proposing 45 seats

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 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 “Business areas in close proximity to Downtown Savannah or in outlying historically settled areas. This category includes commercial uses that should be compatible with the character and scale of adjacent neighborhoods, most often found along collectors and arterials. Characteristics include walkability, limited or on street parking, and multi-tenant retail.” The Special Use request is for the existing building at 527 East 39<sup>th</sup> Street to become a restaurant named, “Sixby”. Sixby would offer a breakfast and lunch menu with operational hours beginning at 9:00 a.m. and will close at 3:00 p.m. The petitioner would close the establishment between 3:00 p.m. to 5:00 p.m. At 5:00 p.m. the subject building would open as a restaurant named, “Hotel Lugash”.

The location of the Special Use request is compatible with the character of the subject property's neighborhood. Restaurant use at this location is consistent with the Future Land use designation.

- 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 specific standards that are within the Planned Development have been met.

- 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:

Hours of operation have been revised to comply with the Baldwin Park Neighborhood Association's recommendation, which are the following:

- Sunday - Thursday: 7:00 a.m. to 9:00 p.m.
- Friday - Saturday: 7:00 a.m. to 10:30 p.m.

Trash pick-up:

- The proposed establishment at 527 East 39<sup>th</sup> Street will be sharing a rolling trash bin with the adjacent establishment, "Hop Atomic".
- Trash will be picked up three times a week.

Parking:

- Per Section 9.3.7(d), "*For the first 3,000 square feet of any nonresidential use, there shall be no minimum off-street parking space requirement. For square footage exceeding 3,000 square feet, the parking requirement shall be calculated using Table 9.3-5 Victorian and Streetcar Parking Reductions.*"
- The interior space of the subject building is 1,300 square feet with 800 square feet dedicated to consumption area for forty-five (45) proposed seats.



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

**Staff Comment:** The structure has enough square footage to accommodate the restaurant use; and will be utilizing a shared rolling trash bin from the adjacent parcel at Hop Atomica.

- 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. The subject property is within the Streetcar Historic District. Material changes to the building will require approval by the Historic Preservation office.

### **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. The East Broad Market Planned Development was developed with a mix of uses. These include retail, restaurants, and residential.

### **ALTERNATIVES:**

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

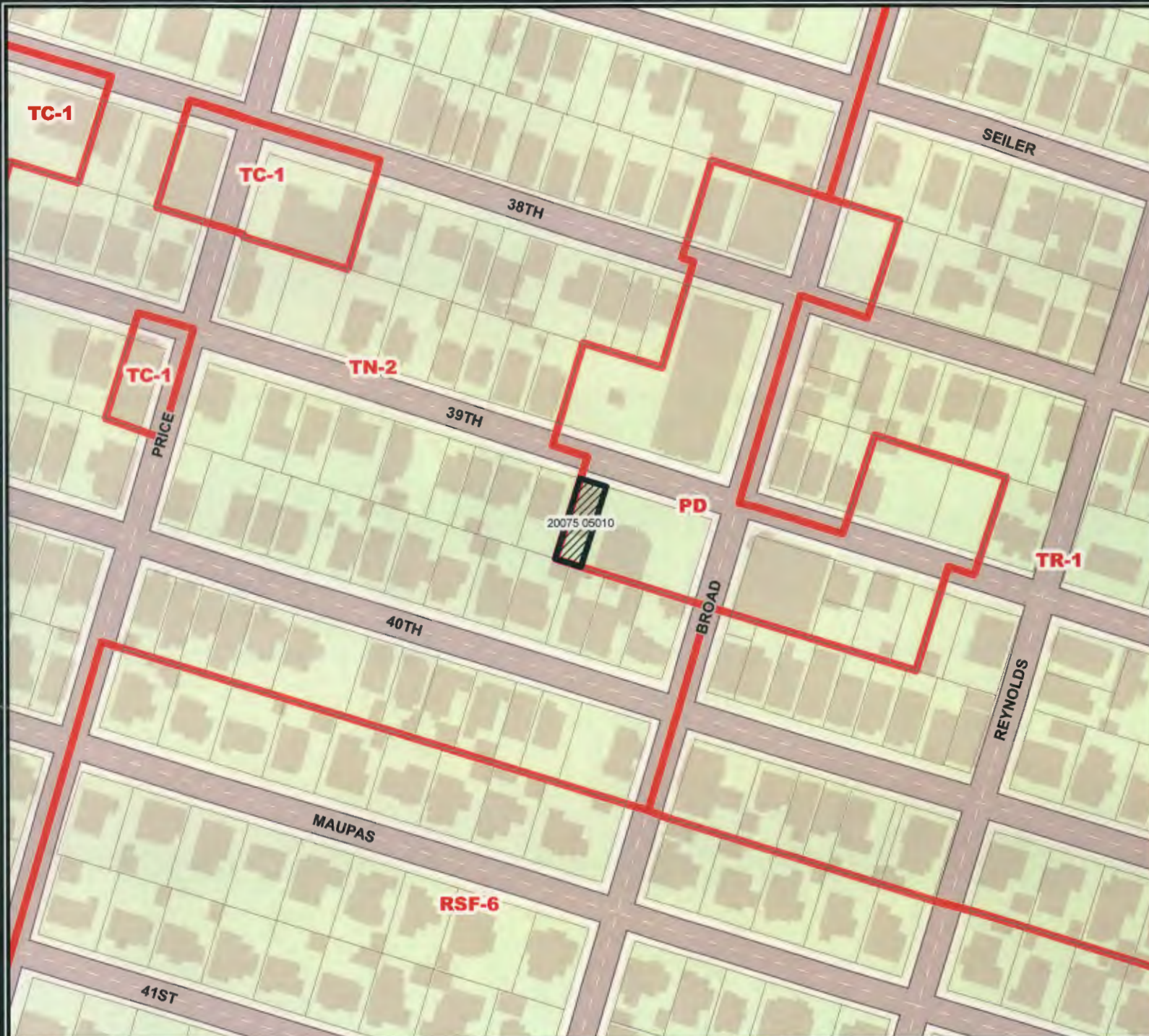
**RECOMMENDATION:** Based upon the compatibility with the Comprehensive Plan, and the ability to meet the criteria for a special use permit; the Metropolitan Planning Commission recommends **approval of the request with conditions.**


1. The Special Use permit shall be nontransferable.
2. The Special Use permit shall be on-premises alcohol only.
3. Hours of operation shall be the following:  
Sunday - Thursday: 7:00 a.m.to 9:00 p.m.  
Friday - Saturday: 7:00 a.m. to 10:30 p.m.

# ZONING MAP

SPECIAL USE PERMIT REQUEST

File: 22-000150-ZA  
Address: 527 E. 39th St.  
Savannah, Ga  
Aldermanic District: 2 - Leggett  
Commission District: 2 - Rivers  
Neighborhood: See Map  
Property ID: See Map



 ZONING

Date: 1/19/2022



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

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 = 150 feet

# TAX MAP

SPECIAL USE PERMIT REQUEST

File: 22-000150-ZA  
Address: 527 E. 39th St.  
Savannah, Ga  
Aldermanic District: 2 - Leggett  
Commission District: 2 - Rivers  
Neighborhood: See Map  
Property ID: See Map



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1 inch = 100 feet



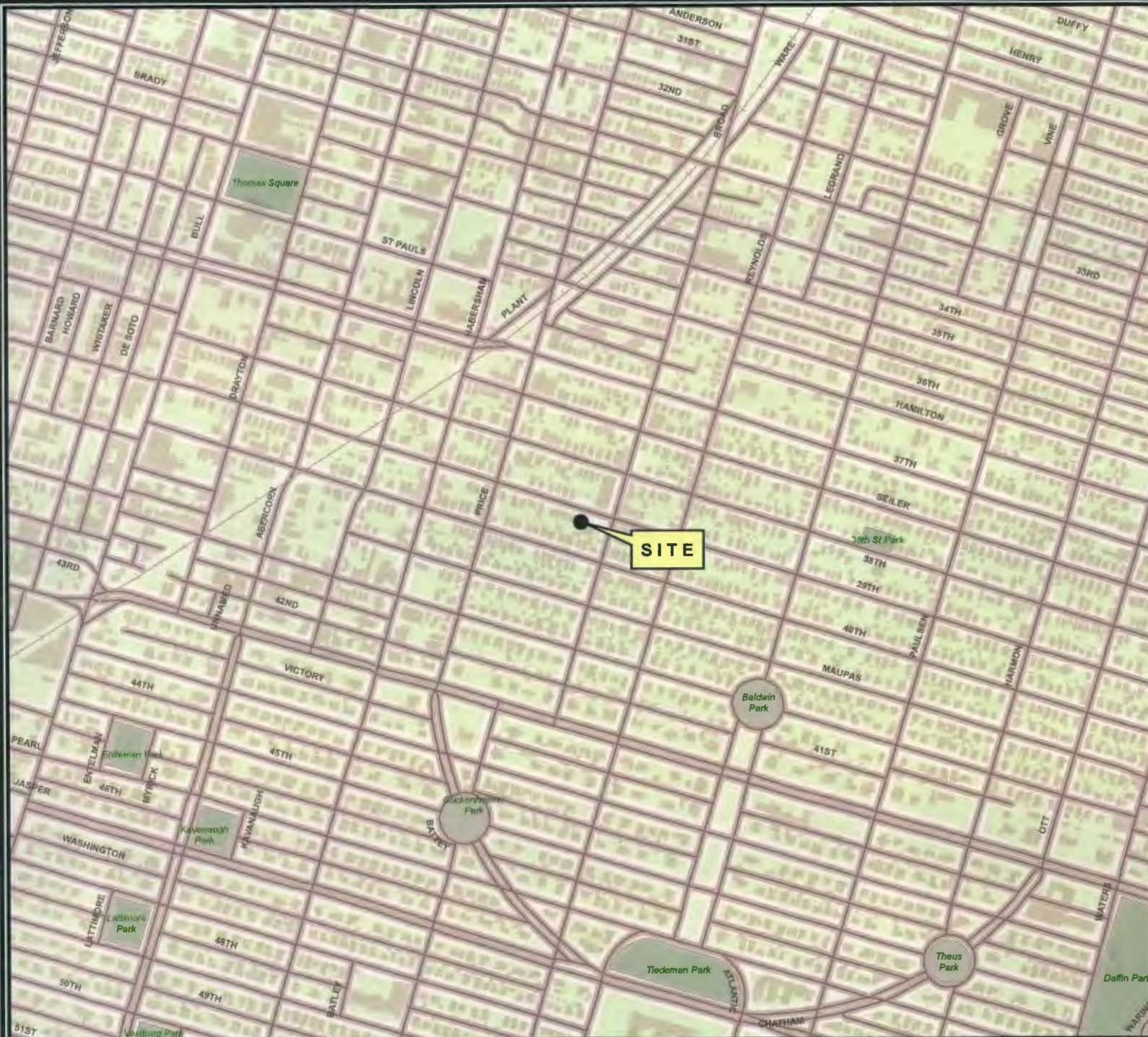
Date: 1/19/2022

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METROPOLITAN PLANNING COMMISSION  
110 E. STATE ST. SAVANNAH, GA 31412-0246 PHONE 912-651-1440

# VICINITY MAP

SPECIAL USE PERMIT REQUEST

File: 22-000150-ZA  
Address: 527 E. 39th St.  
Savannah, Ga  
Aldermanic District: 2 - Leggett  
Commission District: 2 - Rivers  
Neighborhood: See Map  
Property ID: See Map



SITE

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1 inch = 700 feet

Date: 1/19/2022



CHATHAM COUNTY - SAVANNAH  
METROPOLITAN PLANNING COMMISSION  
119 E. STATE ST. SAVANNAH, GA 31412-9246 PHONE 912-651-1440

# AERIAL MAP

SPECIAL USE PERMIT REQUEST

File: 22-000150-ZA  
Address: 527 E. 39th St.  
Savannah, Ga  
Aldermanic District: 2 - Leggett  
Commission District: 2 - Rivers  
Neighborhood: See Map  
Property ID: See Map



Date: 1/19/2022



CHATHAM COUNTY · SAVANNAH  
METROPOLITAN PLANNING COMMISSION  
110 E. STATE ST. SAVANNAH, GA 31412-0246 PHONE 912-651-1440

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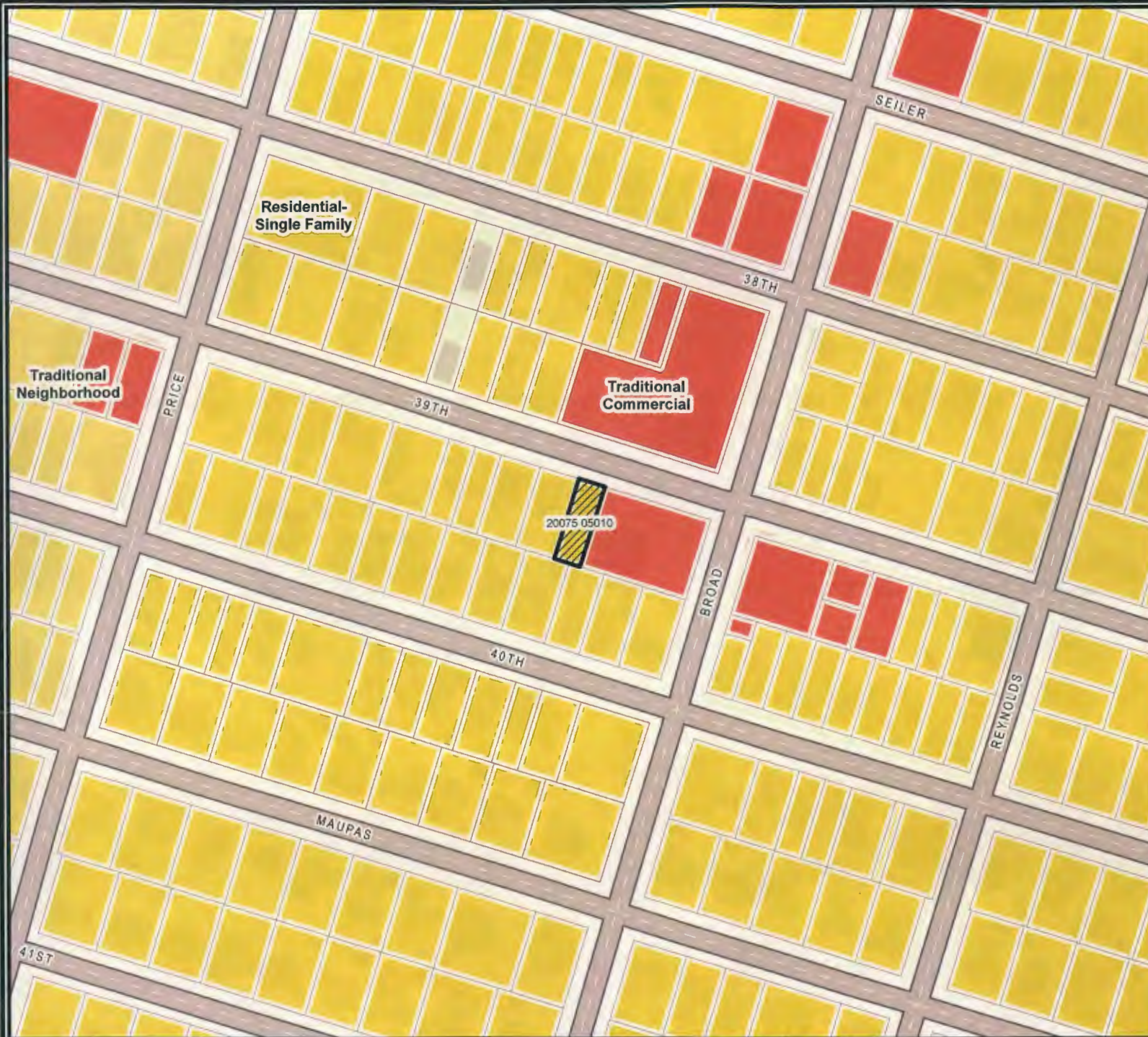
1 inch = 50 feet

D

# FUTURE LAND USE

SPECIAL USE PERMIT REQUEST

File: 22-000150-ZA  
Address: 527 E. 39th St.  
Savannah, Ga  
Aldermanic District: 2 - Leggett  
Commission District: 2 - Rivers  
Neighborhood: See Map  
Property ID: See Map



- Traditional Commercial
- Traditional Neighborhood
- Residential- Single Family

Date: 1/19/2022



CHATHAM COUNTY - SAVANNAH  
METROPOLITAN PLANNING COMMISSION  
110 E. STATE ST. SAVANNAH, GA 31412-6248 PHONE 912-651-1440

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1 inch = 150 feet

D