



**METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**DATE:** August 15, 2023  
**TO:** THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH  
**FROM:** METROPOLITAN PLANNING COMMISSION  
**SUBJECT:** MPC RECOMMENDATION

**PETITION REFERENCED:**

**Petitioner:** Russell Goeken, Agent for Habersham Development, LLC

**Owner:** Dolly Chisolm, Habersham Development, LLC

**Aldermanic District:** - 5, Alderman Shabazz

**County Commission District:** - 5, Commissioner Milton

**Current Zoning District:** TC-1 (Traditional Commercial)

**Future Land Use (FLU) Category:** Traditional Commercial

**File No.** 23-003790-ZA

**Location:** 3129 Bull Street

**PIN(s):** 20088 03001

**MPC ACTION:**

**Approval** of the requested Special Use permit for accessory alcohol sales within a restaurant with the following conditions:

1. The Special Use permit is nontransferable.
2. There shall be beer and wine only.
3. Operational hours: Monday through Thursday from 7:00 a.m. until 9:00 p.m. and Friday through Saturday from 7:00 a.m. until 10:00 p.m.

**MPC STAFF RECOMMENDATION:**

**Approval** of the request for a Special Use permit for accessory sales within a restaurant with the following conditions:

1. The Special Use permit shall be nontransferable.
2. Operational hours shall be Monday through Saturday from 7:00 a.m. until 7:00 p.m.

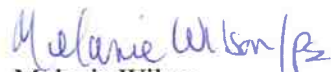
**MEMBERS PRESENT:** 10 + Chairman

Dwayne Stephens, Chairman  
Travis Coles, Vice Chairman  
Traci Amick  
Laureen Boles  
Elizabeth Epstein  
Karen Jarrett  
Wayne Noha  
Jeff Notrica  
Michael Kaigler  
Jay Melder  
Shedrick Coleman

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (11-0)

<b>APPROVAL</b> Votes: 10	<b>DENIAL</b> Votes: 0	<b>ABSENT</b>	<b>Abstained</b>
Amick Boles Coles Coleman Epstein Jarrett Kaigler Melder Noha Notrica Stephens		Ervin Woiwode Welch	

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, Planning, Urban & Design



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*

**To: The Metropolitan Planning Commission**

**From: MPC Staff**

**Date: August 15, 2023**

**Subject:** Special Use Request

**Petitioner:** Russell Goeken, Agent for Habersham Development, LLC

**Property Owner:** Dolly Chisholm, Habersham Development, LLC

**Address:** 3129 Bull Street

**Alderman:** District 5 – Alderman Dr. Estella Shabazz

**County Commission:** District 5 – Commissioner Tanya Milton

**Property Identification Number:** 20088 03001

**Petition File No.:** 23-003790-ZA

**Melissa Leto, Senior Planner**

**REQUEST:** The Petitioner is requesting approval of a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to establish accessory alcohol sales within a restaurant. The Special Use process includes review by the Planning Commission and the Savannah City Council. Should the use be approved by the 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.



*3129 Bull Street – Front facade*

**BACKGROUND:** The subject property is zoned TC-1 (Traditional Commercial-1). The subject site is a concrete one-story commercial building with three units included in the building facing Bull Street. The property is between Clifford Street and Nephew Street. The 3129 Bull Street unit previously was a church and before that it was a café called, “The Culturist Union”. The café served coffee and tea.

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:

Location	Land Use	Existing Zoning
North	Bridal shop, Senior Citizens, Inc.	TC-1
South	Ralo Menswear, single-family residential	TC-1 & RTF
East	Single-family detached residential	RSF-6
West	One and two-story residential	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 Section 3.10.8:**

When reviewing a Special Use permit request, the reviewing 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 TC-1 (Traditional Commercial-1) zoning district is consistent with the Traditional Commercial Future Land Use designation which allows for business areas near Downtown Savannah or outlying historically settled areas. This category includes commercial uses that should be compatible with the character and scale of adjacent neighborhoods, most often found among collectors and arterials. Characteristics include walkability, limited or on-street parking, and multi-tenant retail.

- 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 for Special Use 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:** The Petitioner is proposing a restaurant/café with draft beer and wine selections. The City regulates operational hours for businesses selling alcohol from 7:00 a.m. until 3:00 a.m.

The applicant recommends the hours of operation be the following:

- Monday through Saturday – 7:00 a.m. until 7:00 p.m.

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

**Staff Comment:** The restaurant/cafe shall be of a small scale with banquette seating for 15 customers and table seating for approximately 30 customers. There are eight (8) existing parking spaces at the rear of the building. Per the City, the unit was previously used as a church, based on the maximum occupancy from the building code, the new restaurant has all its parking requirements met through credit for the nonconforming parking area. There is also a dumpster located at the rear of the building.

- 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.

#### **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, the subject property and proposed use meet the requirements.

#### **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 Planning Commission recommended **approval** of the request with the following conditions:

1. The Special Use permit shall be nontransferable.
2. There shall be beer and wine only.
3. Operational hours: Monday through Thursday from 7:00 a.m. until 9:00 p.m. and Friday through Saturday from 7:00 a.m. until 10:00 p.m.