



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: July 25, 2023
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC RECOMMENDATION

PETITION REFERNCED:

Petitioner: Joshua Yellin, Agent for Vintage Home Restoration, LLC
Owner: Michael Condon, Vintage Home Restoration, LLC
Aldermanic District: 2 - Alderman Detric Leggett
County Commission District: 2 - Commissioner Jean Brown Rivers
Neighborhood/Subdivision: Victorian Neighborhood Association
Current Zoning District: TN-1 (Traditional Neighborhood-1)
Future Land Use (FLU) Category: Traditional Neighborhood
File No. 23-003454-ZA
Location: 222 West Duffy Street
PIN: 20052 16013
Acreage: 0.04 acres

MPC ACTION:

Approval of the request to rezone 222 West Duffy Street from TN-1 to TC-1.

MPC STAFF RECOMMENDATION:

Approval of the request to rezone 222 West Duffy Street from TN-1 to TC-1.

MEMBERS PRESENT: 9 + Chairman

Dwayne Stephens, Chairman
Laureen Boles
Traci Amick
Karen Jarrett
Elizabeth Epstein
Tom Woiwode
Wayne Noha
Jeff Notrica
Joseph Welch
Jay Melder

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

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

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
Zarina Davis, Department of Inspections
Bridget Lidy, Department of Inspections



Savannah City Council Agenda Item Information Sheet

Date of MPC Hearing: July 25, 2023

Type of Petition: Rezoning Map Amendment

Staff Generated Petition: Y/N

The Petitioner, Joshua Yellin, Agent for Vintage Home Restoration, LLC (File No. 23-003454-ZA) is requesting approval of a rezoning map amendment for property located at 222 West Duffy Street. At issue is a request to rezone an approximately 0.04-acre parcel from the current TN-1 (Traditional-Neighborhood-1) zoning classification to an TC-1 (Traditional-Commerical-1) zoning classification. The parcel faces West Duffy Street. The Petitioner's intent is to allow the proposed TC-1 parcel to be used as a restaurant which is a permitted use in TC-1 and the Petitioner is requesting a Special Use permit to allow for an accessory alcohol sales within the restaurant which is a Special Use within the TC-1 zoning classification.

The Planning Commission recommends **approval** of the rezoning request from TN-1 to TC-1.



CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

"Planning the Future, Respecting the Past"

STAFF REPORT

File No. 23-003454-ZA

Location: 222 West Duffy Street

PINs: 20052 16013

Acreage: +/- 0.04 Acres

Prepared by Melissa Leto, Senior Planner



Figure 1 Location Map

Petitioner: Joshua Yellin

Owner: Michael Condon, Vintage Home Restoration, LLC

Aldermanic District: 2, Alderman Detric Leggett

County Commission District: 2, Commissioner Jean Brown Rivers

Neighborhood/Subdivision: Victorian Neighborhood Association

Current Zoning District: TN-1 (Traditional Neighborhood – 1)

Future Land Use (FLU) Category: Traditional Neighborhood

Request

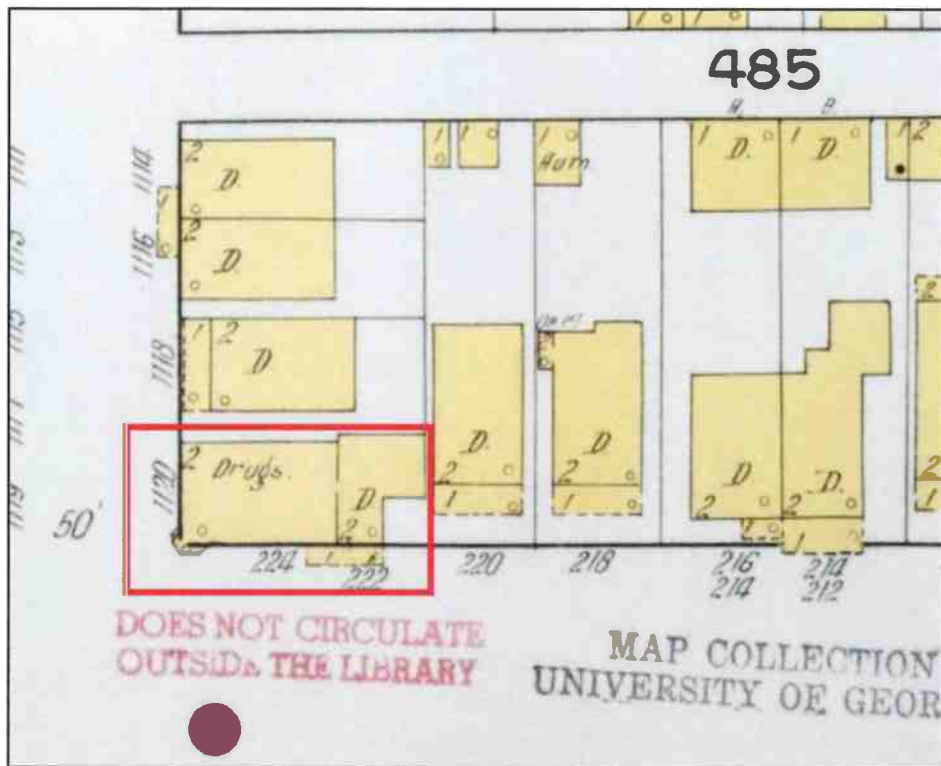
The petitioner is requesting to rezone the subject parcel from TN-1 (Traditional Neighborhood-1) to TC-1 (Traditional Commercial-1) designation with the intent of renovating the existing building to a restaurant with alcohol sales as an accessory use within the restaurant. The property, 222 West Duffy Street, is 0.04 acres in size, and is located on the northside of West Duffy Street, and west of Jefferson Street. The applicant states the existing two-story building would include a restaurant which would seat approximately 40 to 60 customers. Access to the proposed restaurant would be from West Duffy Street and Jefferson Street.

Background

The subject property is currently zoned TN-1 (Traditional Neighborhood-1). The applicant is requesting the TC-1 (Traditional Commercial-1) zoning district. The subject site currently has an existing historic 2-story building that was constructed in 1894 and is a

contributing resource within the National Register Victorian Historic District and the local Victorian Historic District.

The site was initially constructed as a pharmacy/drug store per the 1916 and 1953 Sanborn Maps.

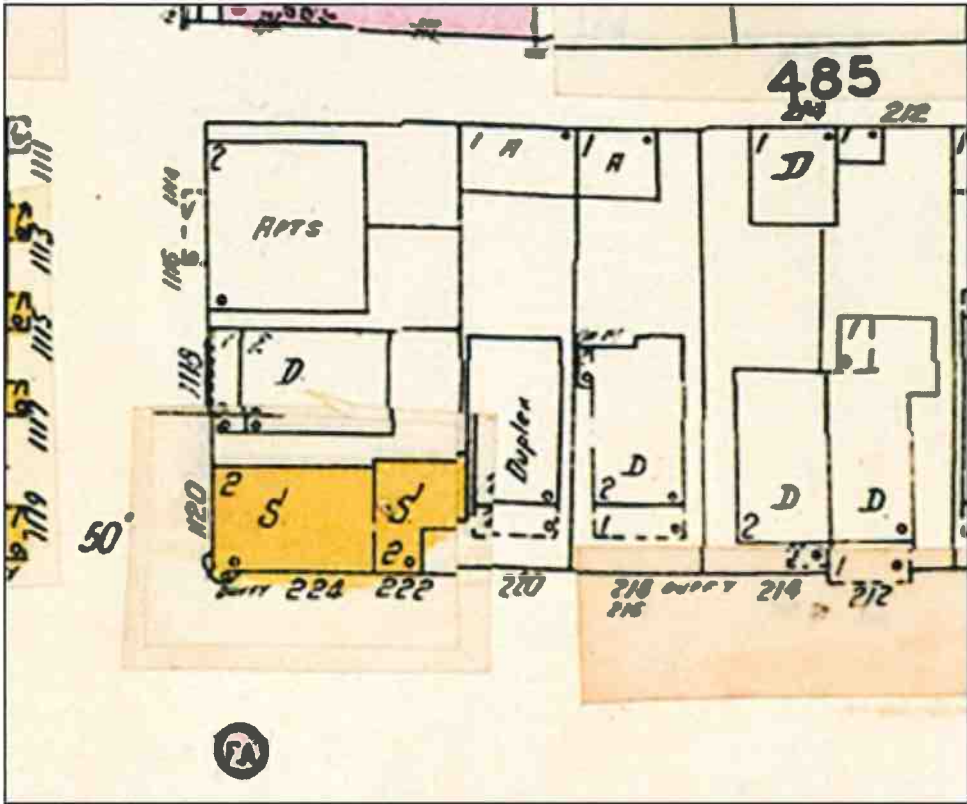


1916 Sanborn Map



1953 Sanborn Map

Per the 1966 Sanborn Map the property was used as a retail store.



1966 Sanborn Map



Current Building Footprint

The property owner has stated that when he purchased the property, it was a restaurant. There are historic images of the building including signage as “West Duffy Café” and at another time the building had signage as “Zenys Restaurant”. There is a projected sign for a hair salon currently on the building facing West Duffy Street. The past cafés served breakfast, lunch, and dinner. The establishment’s use as a restaurant was in business for over 30 years and closed in 1999. The property is currently being renovated and the petitioner is working with the MPC Historic Preservation Division to complete the conditions of a Certificate of Appropriateness provided in 2022.

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.

The applicant hosted a neighborhood meeting on July 7, 2023, onsite at 3:15 p.m. which included Nancy Maia (Victorian Neighborhood Association President), and Jennifer Shearer (Vice-President of the Victorian Neighborhood Association). The meeting was very positive, and the Victorian Neighborhood Association liked the restaurant, use and hours.

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	One, Two-Family/ Residential and St. Phillip Monumental A.M.E. Church, “The Mother Church of Georgia”.	TN-1
East	One, Two-family/ Residential and The Sanctuary Church	TN-1
South	One and Two-Family Residential	TN-1
West	One and Two-Family Residential and Adler’s Package Shop & A Ministry of St. Paul Church	TN-1 & TC-1

The development pattern in the immediate vicinity of the subject property includes single family residential, two families and churches along West Duffy Street and Jefferson Street.

Impact and Suitability

Public Utilities

The area has access to the City's public water, sewer, and stormwater systems.

Transportation and Transit

The property would be accessed from West Duffy Street and Jefferson Street. The closest CAT bus stop is on Barnard Street between West Park Avenue and West Park Lane which is 485 feet away from the subject property. Because the site is less than 3,000 square feet, off-street parking is exempt. The subject property does not have room for off-street parking and has never been historically.

Community Development

The proposed re-zoning would allow a parcel independent from its adjacent parcels within the TN-1 classification to have a more intense use as a restaurant with alcohol which is not permitted in the surrounding TN-1 neighborhood zoning classification and character of the neighborhood. The other properties in the immediate vicinity are generally one and two-family residential uses. The TC-1 uses within a block east and west of the subject parcel. To the west of the subject parcel in TC-1 is Adler's Package Shop, LAL's fuel gas station, Etta's Southern Café & Winery, D&D Convenience store, Eggroll King, and Home Furnishings. The TC-1 uses within a block west of the subject parcel are SCAD's Streamliner, retail, and the SCAD Building for fashion and accessory design.

Comprehensive Plan Land Use Element

The Comprehensive Plan Future Land Use Map designates the subject property as Traditional Neighborhood. The proposed TC-1 (Traditional Commercial-1) zoning classification by the applicant is consistent with the Traditional Neighborhood Future Land Use designation for a small-scale neighborhood establishment. Traditional Neighborhood allows for non-residential uses that are compatible with the residential character of the neighborhood. A small local restaurant within the neighborhood scale would be beneficial for the community. However, the intensity of a 40 to 60 seated restaurant with no parking expands any affects the applicant is trying to mitigate within the residential neighborhood.

Existing TN-1 (Traditional Neighborhood-1) District

- The TN-1 district is intended to ensure the vibrancy of historic residential neighborhoods with traditional development patterns characteristic of Savannah from approximately 1890 to 1920 during the streetcar era. While the district provides for primarily residential uses, it also includes limited non-residential uses that are considered compatible with the residential character of the neighborhood. The TN-1 district is intended for use only within the Victorian Historic Overlay District.
- **Allowed Uses:** Allowed uses in the TN-1 district are listed in the attached table.
- **Development Standards:** The TN-1 development standards are listed in the table below.

Proposed TC-1 District:

- The TC-1 district is established to ensure the vibrancy of historic mixed use neighborhoods with traditional development patterns characteristic of Savannah during the streetcar and early automobile eras. The district provides for commercial areas that are developed at a mass and scale harmonious with nearby residential neighborhoods.
- **Allowed Uses:** Allowed uses in the TC-1 district are listed in the attached table.
- **Development Standards:** The TC-1 development standards are listed in the table below.

Zoning Ordinance Review

The following review criteria for rezoning are prescribed in the Savannah Zoning Ordinance Sec. 3.5.8.

a. Suitability and Community Need

- i. Whether the range of uses permitted by the proposed zoning district is more suitable than the range of uses that is permitted by the current zoning district.

MPC Comment: The range of uses permitted under the proposed TC-1 zoning have the same uses under the current TN-1 zoning. Except the TC-1 zoning district has a larger list of permitted, special use, and limited uses than the TN-1 with higher amounts of intense non-residential uses that are permitted by right. The proposed TC-1 zoning classification would allow for a mix of residential and commercial uses, specifically a restaurant and a special use option to have alcohol as an accessory use to a restaurant use. The area around the subject property is residential in nature with single-family and multi-family residential uses within walking distance from churches and establishments along Montgomery Street and Barnard Street corridors.

The additional permitted uses in the TC-1 zoning district which are not available in the TN-1 zoning district are the following:

- Dormitory/student housing;
- Post Office;
- Soup kitchen;
- Child, Indoor amusement;
- Indoor sports facility;
- Theatre/cinema/performing arts;
- Bank;
- Body art services;
- Business support services;

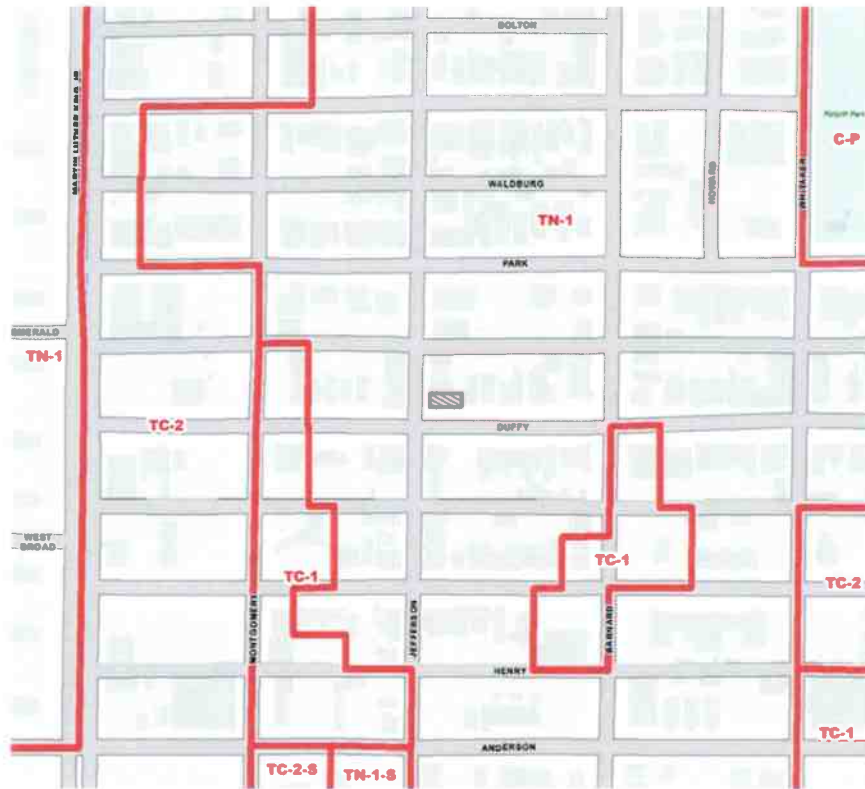
- Catering establishment;
- Instructional studio or classroom;
- Laundromat;
- Dry cleaner/Laundry/Neighborhood;
- Psychic; palmist; medium; fortune teller;
- Repair-oriented services;
- Restaurant;
- Ancillary retail dealer (off premise consumption of alcohol)

There are many intense uses within the TC-1 zoning district that are Limited or require a Special Use permit, such as the following:

- Emergency Medical Services (EMS) substation/Ambulance Service;
- Shelter Emergency;
- Shelter Transitional;
- Soup kitchen;
- Child/adult care home 24 hour;
- Child/adult care center 24 hour;
- Private club/lodge;
- Correctional transition facility;
- Substance recovery facility;
- Office, utility/contractor;
- Studio/multimedia production facility;
- Teen club;
- Convenience store;
- Fuel/gas station;
- Animal services indoor;
- Hall, bequest or reception;
- Distillery, craft
- Bar; tavern;
- Package store (not including wine specialty shops);
- Wine specialty shop (not including package stores)
- Winery; Meadery;
- Cidery;
- Brewery, Micro;
- Hotel/motel, 16-74 rooms;
- Vehicle service, minor;
- Vehicle wash, full or self-service;
- Manufacturing Artisan/Craft.

- ii. Whether the proposed zoning district addresses a specific need in the county or city.

MPC Comment: The proposed zoning request does not address a specific need in the county or city. However, it would permit the adaptive use reuse of a vacant building and would permit the use of the property as a neighborhood scaled café restaurant.



Zoning Map with subject parcel hatched.

- iii. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

MPC Comment: The zoning proposal would most likely not have an adverse effect on the adjacent properties or nearby properties if managed as a small-scale establishment. Any adverse effect would depend on how the proposed restaurant's use is managed and the fact that the petitioner has applied for a Special Use permit, where conditions may be applied to mitigate any adverse effects.

- iv. Whether the zoning proposal is compatible with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area.

MPC Comment: The re-zoning is consistent with City plans. The TC-1 designation allows for a variety of residential and nonresidential uses. The district allows for commercial areas that are developed at a mass and scale harmonious with nearby residential neighborhoods. The subject parcel is not considered a commercial area as it is surrounded by residential uses. The closest TC-1 parcels are situated on the east and west corridors of Montgomery Street and Barnard Street.

- v. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

MPC Comment: The requested re-zoning would allow for restaurant use and alcohol sales within the restaurant. However, the existing TN-1 would allow for a pharmacy, a retail store, packaged food retail, or a mixed-use building with commercial on the ground level and upper story residential on the second floor. The proposed restaurant shall be of a small scale to support the adjacent residential properties and to mitigate the intensities of the restaurant's use itself. There are no minimum parking requirements for the subject parcel as the building is 1,274 square feet per floor, totaling 2,548 interior square feet. Per Sec. 9.3.7.d no minimum parking is required. For alcohol, restaurants with more than 40 seats do not have a distance requirement in relation to churches per Sec. 6-1207(c)(1)(iv).

b. Consistency

Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and other adopted plans, such as a redevelopment plan or small area plan.

MPC Comment: The Comprehensive Future Land Use Map designates the subject property as Traditional Neighborhood. The existing TN-1 zoning district is compatible with this classification. The Traditional Commercial-1 (TC-1) zoning classification within the existing TC-1 parcels located a block east and west of the subject parcel have a Future Land Use classification of Traditional Commercial. The Traditional Commercial classification allows for Business areas near 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 among collectors and arterials. Characteristics include walkability, limited or on-street parking, and multi-tenant retail. Even though the TC-1 zoning district is compatible with both Traditional Neighborhood and the Traditional Commercial classifications, the subject parcel's

proposed use must be small scaled so that the use itself does not create parking, noises, and other nuisances that restaurants generally have.

c. Reasonable Use

Whether the property to be affected by the zoning proposal has a reasonable use as currently zoned.

MPC Comment: The property is reasonable for use under the current zoning. To renovate the two-story building into a restaurant use it needs to be rezoned to the TC-1 designation as a restaurant is not allowed in the TN-1 zoning district but is allowed in in TC-1 zoning district.

d. Adequate Public Services

Whether adequate school, public safety and emergency facilities, road, ingress and egress, parks, wastewater treatment, water supply and stormwater drainage facilities are available for the uses and densities that are permitted in the proposed zoning district.

MPC Comment: Adequate services are available.

Analysis

The petitioner is requesting a rezoning of a corner parcel from its Traditional Neighborhood-1 (TN-1) zoning district to a Traditional Commerical-1 (TC-1) zoning district at 222 West Duffy Street to renovate an existing two-story building, into a restaurant with accessory alcohol sales within the restaurant. The petitioner is requesting a Special Use permit to allow for accessory alcohol sales within the restaurant. The petitioner hosted a neighborhood meeting on July 7, 2023, with the Victorian Neighborhood Association's president and vice president onsite. The meeting was very positive.

The subject parcel is a corner lot abutting residential and is surrounded by single-family and two-family residences along West Duffy Street and Jefferson Street. It is located within a block east and west of the parcel to TC-1 zoned properties along Montgomery Street and Barnard Street. The Comprehensive Plan Future Land Use Map (FLUM) designated the subject property as *Traditional Neighborhood*. The proposed TC-1 zoning classification is to allow for a restaurant with accessory alcohol sales within the restaurant. The Traditional Neighborhood future land use classification allows for non-residential uses that are compatible with the residential character of the neighborhood. Per Sec. 9.3.7.d there is no minimum parking required for the subject parcel as the building is 1,274 square feet per floor, totaling 2,548 interior square feet. For alcohol, restaurants with more than 40 seats do not have a distance requirement in relation to churches per Sec. 6-1207(c)(1)(iv).

Recommendation

The Planning Commission recommends **approval** of the rezoning of 222 West Duffy Street from TN-1 (Traditional-Neighborhood-1) to TC-1 (Traditional-Commerical-1) request.

Development Standards for Existing TN-1 and Proposed TC-1		
	Existing District	Proposed District
Standard	TN-1	TC-1
Minimum Lot Area (Each unit unless otherwise specified)	2,100 sf	434 sf
Minimum Lot Width	30-feet	30-feet
Front Yard Setback	0-feet (min).; 10-feet (max)	5-feet (max)
Minimum Side Yard Setback	3-feet	10 feet
Minimum Side Yard Corner	0-feet (min).; 10-feet (max)	
Minimum Rear Yard Setback	30-feet	10-feet
Maximum Height	40-feet	3 stories, not to exceed 45-feet
Maximum Building Coverage	60%	n/a
Maximum Density	Min. lot size applies	Min. lot size applies

Use Table - TN-1	X=Permitted Use L=Limited Use S=Special Use	Use Standards
Single-family detached	X	
Single-family attached	X	
Two-family	X	
Three-family/ Four-family	X	Sec. 8.1.1
Townhouse	X	
Stacked townhouse	X	
Apartment	X	
Upper story residential	X	
Child caring institution	L	Sec. 8.1.5
Fraternity/sorority house	S	
Monastery/convent	X	
Rooming house	S	
Single-room occupancy	S	
Agriculture, personal	X	Sec. 8.7.24
Community garden	X	
Park, general	X	
Library/ community center	X	
Museum	X	Sec. 8.7.24
Police/fire station or substation	X	
Child/adult day care home	S	Sec. 8.3.9 or Sec. 8.7.11
Child/adult day care center	S	Sec. 8.3.10 or Sec. 8.7.11
College, university, seminary	S	Sec. 8.3.13 and Sec. 8.7.15
Educational building used by college, university, or seminary	S	Sec. 8.3.13 and Sec. 8.7.15
School, public or private (K-12)	X	Sec. 8.3.14 and Sec. 8.7.14
School, trade, vocational or business	S	
All places of worship	X	Sec. 8.3.15, Sec. 8.7.13, and Sec. 8.8.3(d)
Hospice	X	
Nursing home	X	
Assisted Living facility	X	
Personal care home, registered	X	Sec. 8.3.19
Personal care home, family	X	Sec. 8.3.19
Personal care home, group	X	Sec. 8.3.19
Office, general	X	Sec. 8.4.1
Office, medical	X	Sec. 8.4.3
Retail, general	X	
Art/photo studio; gallery	X	

Food-orientated retail	X	Sec. 8.4.16
Pharmacy	X	Sec. 8.4.21
Pharmacy for Medical Cannabis Dispensary or Medical Marijuana Dispensary	L	Sec. 8.4.51
Personal service shop	X	Sec. 8.4.28
Retail consumption dealer (on premise consumption of alcohol)	S	Sec. 8.7.24 and Sec. 7.14
Bed and Breakfast Homestay	L	Sec. 8.4.33
Bed and Breakfast	L	Sec. 8.4.34
Inn	L	Sec. 8.4.35 and Sec. 8.7.24
Short-term vacation rental	L	Sec. 8.4.37 and Sec. 7.5
Parking facility	S	Sec. 8.6.2
Utilities, major	S	
Utilities, minor	X	

Use Table - TC-1	X=Permitted Use L=Limited Use S=Special Use	Use Standards
Single-family detached	X	
Single-family attached	X	
Two-family	X	
Three-family/ Four-family	X	Sec. 8.1.1
Townhouse	X	
Stacked townhouse	X	
Apartment	X	
Upper story residential	X	
Child caring institution	L	Sec. 8.1.5
Dormitory/student housing	X	
Fraternity/sorority house	S	
Monastery/ convent	X	
Rooming house	L	Sec. 8.1.6
Single room occupancy	L	Sec. 8.1.7
Agriculture, personal	X	
Community Garden	X	
Park, general	X	
Library/community center	X	
Museum	X	Sec. 8.7.24
Post Office	X	
Police/fire station or substation	X	
Emergency Medical Services (EMS) substation/ Ambulance Service	S	Sec. 8.3.5
Shelter, emergency	S	Sec. 8.3.6
Shelter, transitional	L	Sec. 8.3.7
Soup kitchen	L	Sec. 8.3.8
Child/adult day care home	L	Sec. 8.3.9 or Sec. 8.7.11
Child/adult day care center	L	Sec. 8.3.10 or Sec. 8.7.11
Child/adult care home, 24 hour	S	Sec. 8.3.11 or Sec. 8.7.11
Child/adult care center, 24 hour	S	Sec. 8.3.12 or Sec. 8.7.11
College, university, seminary	X	Sec. 8.3.13 and Sec. 8.7.15
Educational building used by college, university, or seminary	X	Sec. 8.3.13 and Sec. 8.7.15
School, trade, vocational or business	X	
All places of worship	X	Sec.8.3.15, Sec. 8.7.13, and Sec. 8.8.3(d)
Private club/lodge	S	Sec. 8.3.16

Correctional transition facility	S	Sec. 8.3.18
Hospice	X	
Nursing home	X	
Assisted living facility	X	
Personal care home, registered	X	Sec. 8.3.19
Personal care home, family	X	Sec. 8.3.19
Personal care home, group	X	Sec. 8.3.19
Substance recovery facility	S	Sec. 8.3.20
Office, general	X	Sec. 8.4.1
Office, medical	X	Sec. 8.4.3
Office, utility/contractor	L	Sec. 8.4.4
Studio/ multimedia production facility	L	Sec. 8.4.5
Indoor amusement	X	
Indoor sports facility	X	
Teen club	L	Sec. 8.4.7
Theatre/ cinema/ performing arts	X	
Retail, general	X	
Art/ phot studio; gallery	X	
Convenience store	S	Sec. 8.4.14
Fuel gas station	S	Sec. 8.4.14
Food oriented retail	X	Sec. 8.4.16
Pharmacy	X	Sec. 8.4.21
Pharmacy for Medical Cannabis Dispensary or Medical Marijuana Dispensary	L	Sec. 8.4.51
Services, general	X	
Animal services, indoor	L	Sec. 8.4.24
Bank	X	
Body art services	X	
Business support services	X	
Catering establishment	X	
Hall, banquet, or reception	S	
Instructional studio or classroom	X	
Laundromat	X	
Dry Cleaner/ Laundry; Neighborhood	X	
Personal service shop	X	Sec. 8.4.28
Psychic;palmist;medium; fortune teller	X	
Repair-oriented services	X	
Distillery; craft	S	Sec. 7.14

Bar; tavern	S	Sec. 8.4.30 and Sec. 7.14
Restaurant	X	Sec. 8.4.32, Sec. 8.7.24 and Sec. 7.14
Retail consumption dealer (on premise consumption of alcohol)	S	Sec. 8.7.24 and Sec. 7.14
Ancillary retail dealer (off-premises consumption of alcohol)	X	Sec. 8.7.24 and Sec. 7.14
Package store (not including wine specialty shops)	S	Sec. 7.14
Wine Specialty Shop (not including package stores)	S	Sec. 7.14
Winery; Meadery; Cidery	S	Sec. 7.14
Brewery, Micro	S	Sec. 7.14
Bed and Breakfast Homestay	L	Sec. 8.4.33
Bed and Breakfast	L	Sec. 8.4.34
Inn	L	Sec. 8.4.35 and Sec. 8.7.24
Hotel/motel, 16-74 rooms	S	Sec. 7.13
Short term vacation rental	L	Sec. 8.4.37 and Sec. 7.5
Vehicle service, minor	L	Sec. 8.4.42
Vehicle wash, full or self service	L	Sec. 8.4.45
Manufacturing, Artisan/craft	L	Sec. 8.5.4
Parking facility	S	Sec. 8.6.2
Utilities, major	S	
Utilities, minor	X	