



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: JUNE 29, 2021
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC RECOMMENDATION

PETITION REFERENCED:

File No. 21-002772-ZA

Location: 348 Whitaker Street

PIN: 20032 05001 **Acreage:** .12

Petitioner: Phillip McCorkle, on behalf of Erika Snayd

Owner: Whitaker @ Charlton Lane, LLC

Aldermanic District: 2, Alderman Detric Leggett

County Commission District: 3, Commissioner Bobby Lockett

Neighborhood/Subdivision: South Historic District

Current Zoning District: Downtown Residential, D-R

Future Land Use (FLU) Category: Traditional Commercial

MPC ACTION:

Motion to Approve the request to establish a restaurant at 348 Whitaker Street with the conditions that the hours are limited from 10 a.m. to 7 p.m., limit the seating to 20 and limit the table location to north of the structure line. **Motion Failed**

MPC STAFF RECOMMENDATION:

Denial of the request to establish a restaurant at 348 Whitaker Street.

MEMBERS PRESENT: 9 + Chairman

Joseph Welch, Chairman
Laureen Boles
Travis Coles
Joseph Ervin
Karen Jarrett
Wayne Noha
Eula Parker

Dwayne Stephens
Malik Watkins
Tom Woiwode

PLANNING COMMISSION VOTE: Approve Staff Recommendation (4-6)

APPROVAL Votes: 4	DENIAL Votes: 6	ABSENT
Welch Coles Noha Woiwode	Boles Ervin Jarrett Parker Stephens Watkins	Brown Epstein Joyner Smith

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



CHATHAM COUNTY-SAVANNAH METROPLITAN PLANNING COMMISSION

"Planning the Future, Respecting the Past"

STAFF REPORT



Figure 1 Location Map

File No. 21-002772-ZA

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Prepared by Kiakala Ntemo, Planner

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Summary of Request

The petitioner is requesting a special use permit to operate a restaurant at the location of the subject property. Restaurant use is a special permitted use in the D-R zoning district and requires review of the MPC and approval from the City Council.

Background

The subject property is a commercial structure fronting on the eastern side of Whitaker Street between West Charlton Lane and West Jones Street. Currently, this space operates as a conforming specialty retail store selling home goods, furniture, and apparel. A portion of the business functions as an interior design studio as well. According to the applicant, the owner of the existing business, Erica Snayd, intends to serve light meals to residents and shoppers in the area from the retail portion of the business. The restaurant is proposing to operate no later than 8pm.

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	Church and school	D-R
East	Townhomes, surface parking, SCAD building	D-R
South	retail	D-R
West	Townhomes	D-R

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 of a restaurant is compatible with the intent of the Comprehensive Plan's Future Land Use category of the subject property. However, a restaurant at this location may serve as a nuisance to residents if not properly managed.

- 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 8.4.32(a) of the Zoning Ordinance, restaurants in the D-R district shall have their hours of operation limited between 7am to 11pm. As submitted with their initial application, the proposed hours of operation for the restaurant are within this timeframe 10am-8pm Monday through Saturday and 11am to 6pm on Sundays. Section 8.4.32(c) states that "restaurants must be located on streets classified as a collector or arterial per Appendix A-1 unless such use existed prior to effective date of Ordinance." This regulation can be achieved because Whitaker Street is identified as an arterial street in Appendix A-1.

- 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 use has the potential to be a detriment to the public interest and welfare of the abutting properties and neighborhood. Although the subject property's immediate area consists of retail shops, the predominant development pattern consists of residential dwellings. The potential noise, crowd, and increased parking associated with restaurant uses may serve as a disturbance to nearby residents, particularly the residents east and south of the subject property on West Jones Street.

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

Staff Comment: No concept or site plans were submitted with the application to verify size and layout. Staff was able to determine the area of the subject property at approximately 545 square feet. Although this may be a size suitable for a small restaurant, adequate off-street parking is not provided for the potential increase in vehicular parking that generally comes with 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. However, the subject property does not have the space available to provide for off-street parking, including ADA parking, to serve a restaurant 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: It is unlikely that the special use could damage the natural, cultural, scenic, or historic elements of the immediate area.

Analysis: The subject property fronts along the stretch of Whitaker Street that is developed with several walkable specialty retail stores. Towards the west, across Whitaker Street on West Jones Street, is Mrs. Wilkes Dining Room; this establishment is the only restaurant in the immediate area and has been grandfathered in for its use. This portion of Whitaker Street is an arterial road with approximately 42 feet right-of-way and does not provide on-street parking. Many of the retail uses along this portion of Whitaker Street do not have off-street parking and utilize the on-street parking of the side streets, which are primarily developed with residential dwellings.

The restaurant owner made mention of outdoor dining. However, no plans were submitted to show the area or size of the outdoor dining area. Generally, additional dining space increases a restaurant's capacity which further potentially increases vehicular parking. The subject property has approximately 5 off-street parking spaces that are shared with the other retail tenant space connected to the subject property. The subject property is in the Downtown Savannah Parking District, which allows for a 40 % reduction in off-street parking for a restaurant use. However, the granting of less required parking spaces does not affect the actual number of customers and vehicular parking in the area.

The hours of operation for many of the retail stores along the same section of Whitaker Street as the subject property are 10am -6pm. Mrs. Wilkes has hours of operation that are limited from 10am-2pm on the weekdays only. The hours of operation for the proposed restaurant are somewhat later than the typical hours of operation for commercial uses in the area.

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. On May 25th, Staff received an email in opposition of the petition.

RECOMMENDATION: A motion to approve the petitioner's request failed.

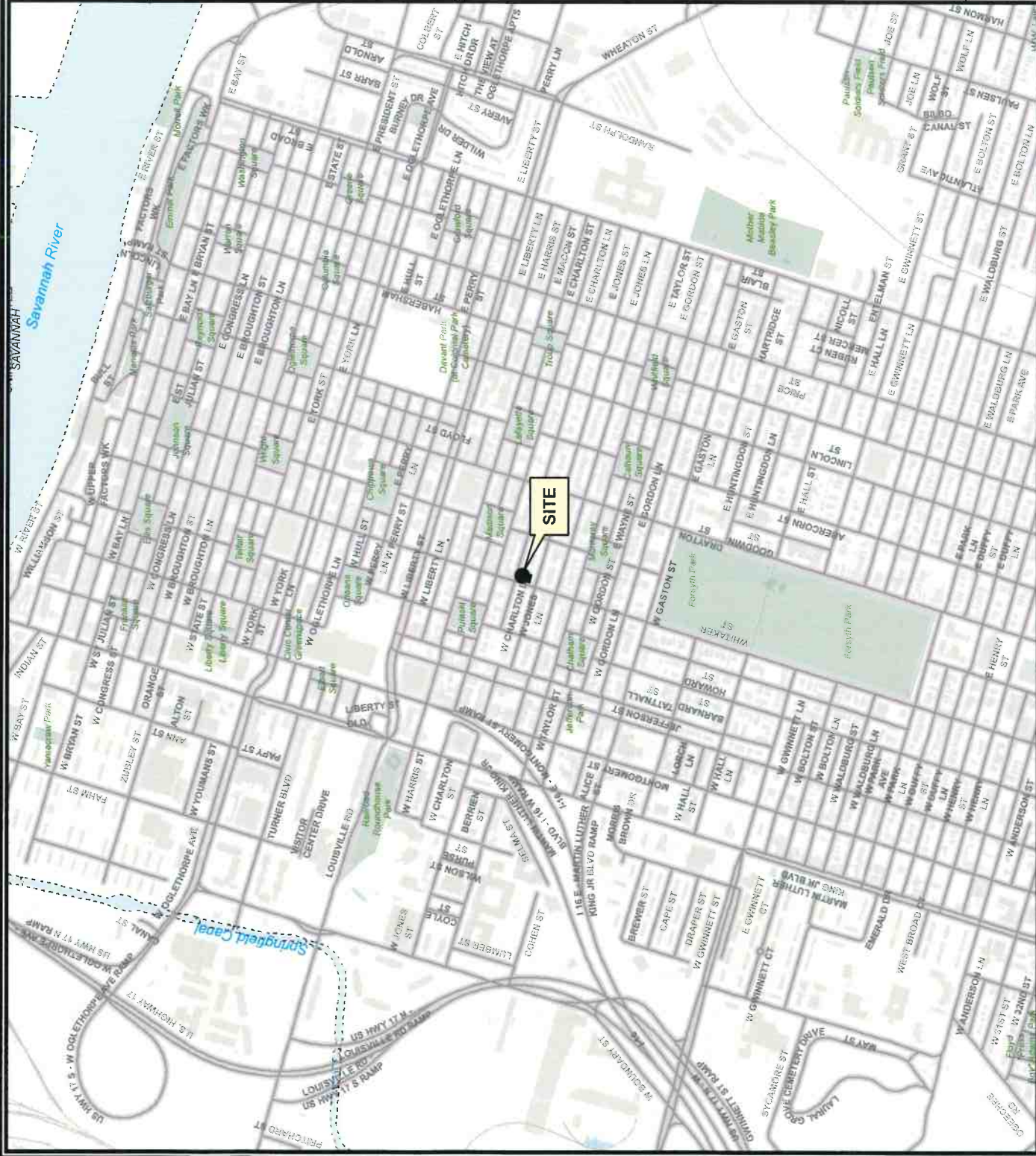
VICINITY MAP

21-002772-ZA
348 Whitaker St.
Savannah, Ga
Aldermanic District: 2 (Leggett)
Commission District: 3 (Lockett)
Neighborhood: See Map
PIN(s): See Map

Date 5/17/2021



CHATHAM COUNTY - SAVANNAH
METROPOLITAN PLANNING COMMISSION
110 E. STATE ST. SAVANNAH, GA 31472-8246 PHONE 912-951-1440



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 = 1,000 feet

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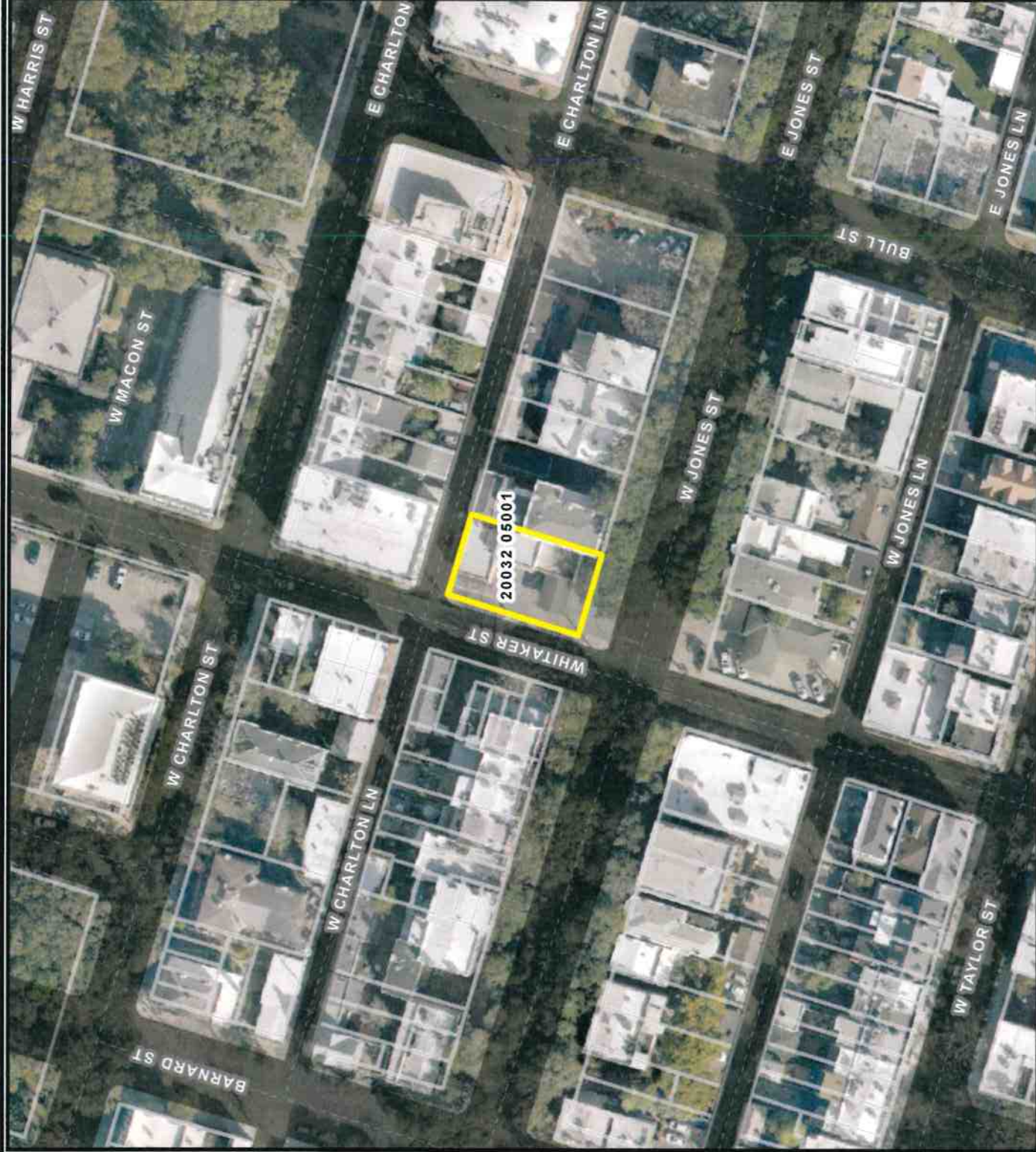
AERIAL MAP

21-002772-ZA
348 Whitaker St.
Savannah, Ga
Aldermanic District: 2 (Leggett)
Commission District: 3 (Lockett)
Neighborhood: See Map
PIN(s): See Map

Date: 5/17/2021



CHATHAM COUNTY - SAVANNAH
METROPOLITAN PLANNING COMMISSION
110 E. STATE ST. SAVANNAH, GA 31472-3246 PHONE 912-651-1440



1 inch = 100 feet

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ZONING MAP

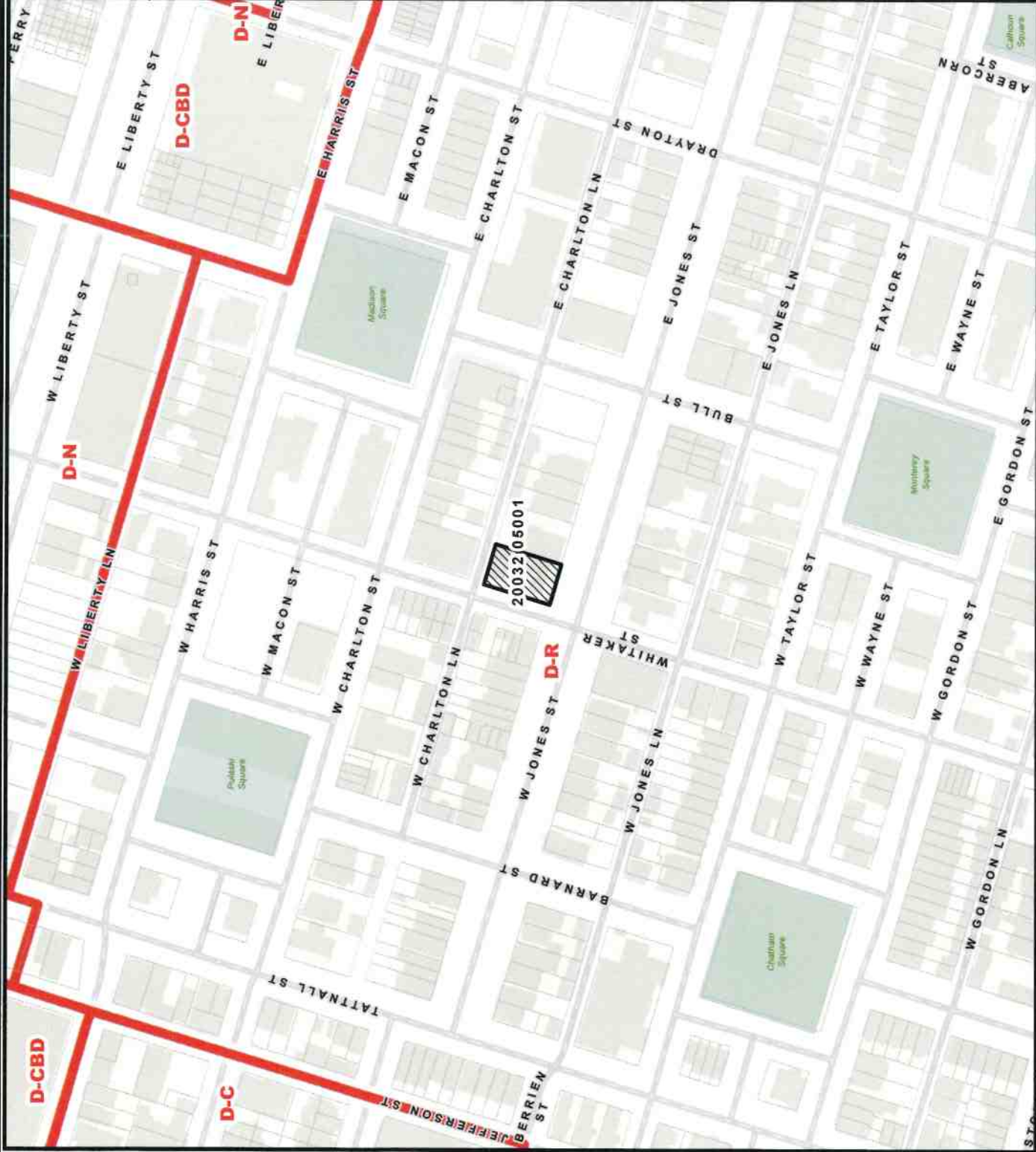
21-002772-ZA
348 Whitaker St.
Savannah, Ga
Aldermanic District: 2 (Leggett)
Commission District: 3 (Lockett)
Neighborhood: See Map
PIN(s): See Map

SPECIAL USE PERMIT REQUEST

Date 5/17/2021



CHATHAM COUNTY - SAVANNAH
METROPOLITAN PLANNING COMMISSION
110 E. STATE ST. SAVANNAH, GA 31472-8246 PHONE 912-651-1440



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1 inch = 200 feet

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FUTURE LAND USE

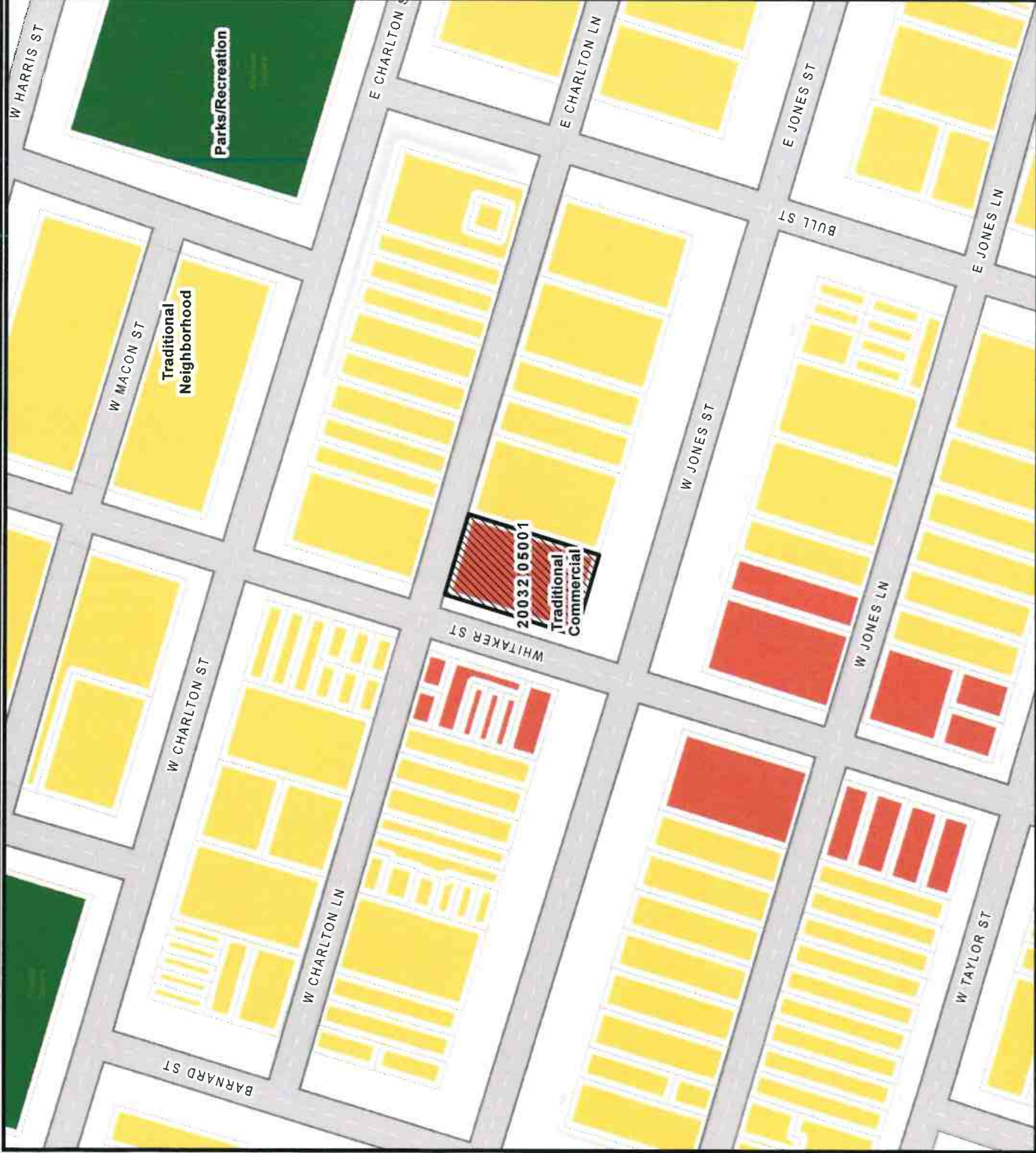
21-002772-ZA
348 Whitaker St.
Savannah, Ga
Aldermanic District: 2 (Leggett)
Commission District: 3 (Lockett)
Neighborhood: See Map
PIN(s): See Map

Traditional Commercial
Traditional Neighborhood
Parks/Recreation

Date: 5/17/2021



CHATHAM COUNTY - SAVANNAH
METROPOLITAN PLANNING COMMISSION
110 E. STATE ST. SAVANNAH, GA 31402-3246 PHONE 912.651.1440



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1 inch = 100 feet

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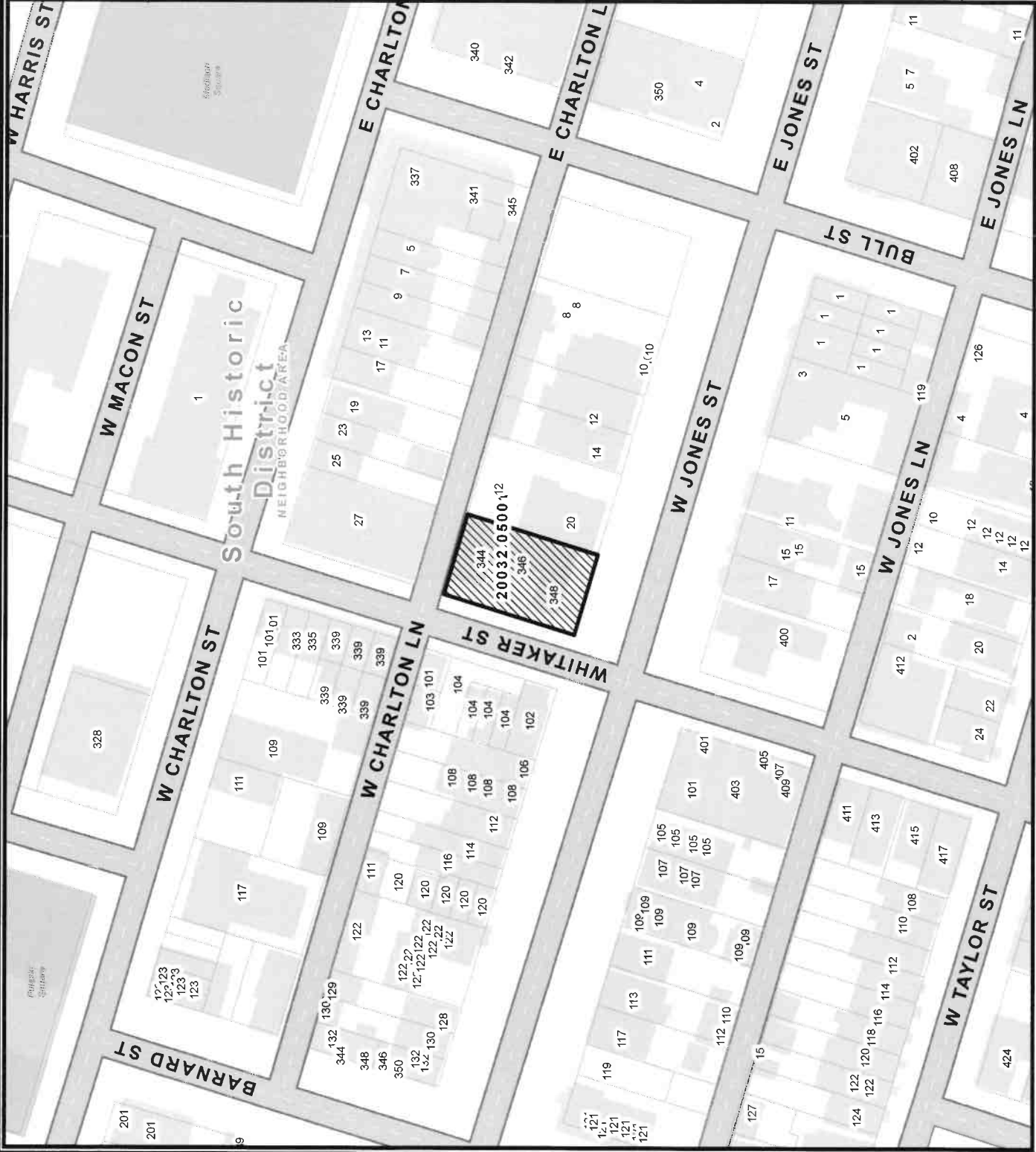
TAX MAP

21-002772-ZA
 348 Whitaker St.
 Savannah, Ga
 Aldermanic District: 2 (Leggett)
 Commission District: 3 (Lockett)
 Neighborhood: See Map
 PIN(s): See Map

Date: 5/17/2021



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



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1 inch = 100 feet

From: [Mary Ellen](#)
To: [Marcus Lotson](#)
Subject: Jones and Wittaker proposal for restaurant / bar change to residential district
Date: Sunday, June 27, 2021 9:23:28 PM

I was given your information to register my disagreement to the proposal to move from a residential setting to one that allows for a restaurant/bar/alcohol license.

I own 15 W Jones St, across from this building. I enjoy the quiet, safe and serene nature of the neighborhood and do not want the change from the RIPA status. Unsure how they are serving drinks now, but one can see the impact of this, especially in the evening when the noise from patrons increase as the alcohol flows.

Please. Our residential areas are losing ground to STVR, stores, restaurants and bars. I am certain that tourists are coming to see the most famous Jones St. NOT another bar - however it is disguised as something else. In addition, the owners have access to the ANNEX across the street which would make another bar/restaurant once the RIPA is changed. Bringing in the monies from a bar/restaurant would dwarf the ANNEX retail sales now.

Please let us not SELL OUT more of our residential areas.

Thank you.
Mary Ellen Wegman
912 665 6615

From: [Hank Reed II](#)
To: [Marcus Lotson](#)
Cc: [Angela and Bill Coonce](#); [Carol Day](#); [DLeggett@Savannahga.Gov](#); [David McDonald](#); [Ellen Harris](#); [Erika Snayd](#); [Joan Levy](#); [SUSAN LOVETT 236-1093](#); [Staci Donegan](#); [Steve Day](#); [William \(Bill\) Lovett](#); [cella@celladunn.com](#)
Subject: Item 10, MPC Agenda for Tuesday 29 June
Date: Monday, June 28, 2021 8:20:13 AM

Dear Mr Lotson,

Item 10 on the MPC Agenda for Tuesday 29 June is a request for a Special Use Permit to operate a restaurant at 348 Whitaker Street.

We are neighbors, the owners of 128 West Jones Street for over 30 years. Mr. and Mrs. Snayd, the operators of the specialty retail store at 348 Whitaker Street, also live nearby in this block of West Jones and we know them well. Due to scheduling conflicts we are unable to participate in the MPC meeting and ask that you convey our position, outlined below, to the MPC.

Originally, the Snayd's special use request included the sale of alcoholic beverages. Although they never intended to operate a bar or permit any activities on their site which would be a nuisance to their neighbors, many nearby residents were concerned about the sale of alcohol. In keeping with their desire to operate a specialty business that their neighbors would be proud to patronize, the Snayd's withdrew the request for alcohol sales.

The Snayd's business concept is not to operate a "restaurant" in the usual sense. They are currently approved to sell pre-packaged food and are seeking approval to serve the items they sell. Their gourmet food items include cheeses from a local farm, charcuterie, crackers, jams, confit, spices, and other condiments to enhance a snack or meal. They want to be permitted to offer cheese and charcuterie boards, baked goods and sandwiches that have been prepared offsite, using their condiments and cheeses.

We believe this type of high end specialty business will complement other nearby retail businesses and enhance the neighborhood. We hope it does well, but it is expensive, gourmand oriented, and will not attract crowds to our area.

Because the special use permit is not transferrable to another business, and the Snayd's have demonstrated their sensitivity to the concerns of their neighbors by withdrawing their request to serve alcohol, we support their request for a special use permit. We also recommend they be given an opportunity to explain their unique business concept to the MPC.

Henry and Heidi Reed
128 West Jones Street