



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: May 23, 2023
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC RECOMMENDATION

PETITION REFERENCED:

Petitioner: Robert McCorkle

Owner: Colby Longley, Agent for Train Track Investments, LLC

Aldermanic District: - 2, Alderman Detric Leggett

County Commission District: - 2, Commissioner Larry Rivers

Current Zoning District: TC-1 Traditional Commercial

Future Land Use (FLU) Category: *Commercial - Neighborhood*

File No. 23-001765-ZA

Location: 410 E. 37th Street

PIN(s): 20064 33001 **Acreage:**

MPC ACTION: Approval of the request with the following conditions* applied to the Special Use Permit:
The Special Use permit shall be nontransferable.
Accessory alcohol sales for beer and wine only.
Operational hours shall be from 6:00 a.m. till 10:00 p.m.

MPC STAFF

RECOMMENDATION: Approval of the request with the following conditions* applied to the Special Use Permit:
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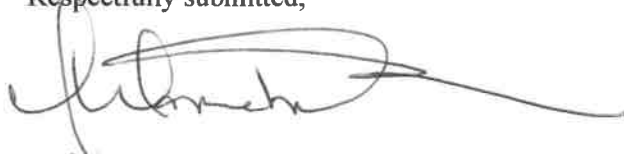
MEMBERS PRESENT: 9 + Chairman

Dwayne Stephens, Chairman
Jay Melder
Travis Coles
Elizabeth Epstein
Tom Woiwode
Wayne Noha
Joseph Welch
Michael Kaigler
Shedrick Coleman
Karen Jarrett

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

APPROVAL Votes: 10	DENIAL Votes: 0	ABSENT
Coles Epstein Noha Coleman Kaigler Jarrett Melder Stephens Woiwode Welch		Boles Ervin Notrica 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
Zarina Davis, Department of Inspections
Bridget Lidy, Department of Inspections



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 Mayor and Aldermen, City of Savannah

From: The Planning Commission

Date: May 23, 2023

Subject: Special Use Request

Petitioner: Robert L. McCorkle, III, Agent for Train Track Investments, LLC

Property Owner: Colby Longley, Agent for Train Track Investments, LLC

Address: 410 East 37th Street

Alderman: District 2 – Alderman Detric Leggett

County Commission: District 2 – Commissioner Larry Rivers

Property Identification Number: 20064 33001

Petition File No.: 23-001765-ZA

Melissa Leto, Senior Planner – Development Services

REQUEST: The petitioner is requesting approval of a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to establish an accessory alcohol sales use 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 City 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.



410 East 37th Street – Front facade

BACKGROUND: The historic building was constructed in 1927 and is a contributing resource within the Thomas Square-Streetcar National Register Historic District and the local Streetcar Historic District. The service station was originally constructed as a Gulf Service Station prototype; additions date from 1954-1973.

A COA was approved to rehabilitate the historic service station on February 24, 2021, and was approved for a 6-month extension for the previously approved Certificate of Appropriateness 21-000661-COA.

The subject parcel is triangular with streets on two sides (East 37th Street and Price Street) and abuts the railroad right-of-way. The parcel measures approximately 0.08 acres, or 3,484.8 square feet, in lot area and contains approximately 76-feet of frontage on East 37th Street, approximately 101-feet along Price Street and 123-feet in front of the railroad right-of-way.

The property is zoned TC-1 (Traditional Commercial-1). The petitioner intends to rehabilitate the building into a small restaurant with pre-packaged food items, sell convenience store items with locally made products and would be providing outdoor seating. The petitioner is requesting a Special Use Permit to allow accessory alcohol sales within the restaurant use, specifically beer and wine only. The properties surrounding the subject parcel are mostly commercial on the edges of Price Street and East 37th Street with residential single-family, duplex, and multifamily uses.

On May 16th the petitioner presented the proposed Baby's General Store restaurant to the Midtown Neighborhood Association. Over 50 people were in attendance and the item was well received. From the time of this report, there have been over 20 letters of support received for the Special Use request.



Proposed rendering

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	Multi-family, single-family & duplex residential uses	TN-2
South	Offices & multi-family uses.	TC-1
East	Leopold's Manufacturing Center & residential housing	TC-1 & TN-2
West	Railroad tracks & a large multi-family apartment building	TC-1

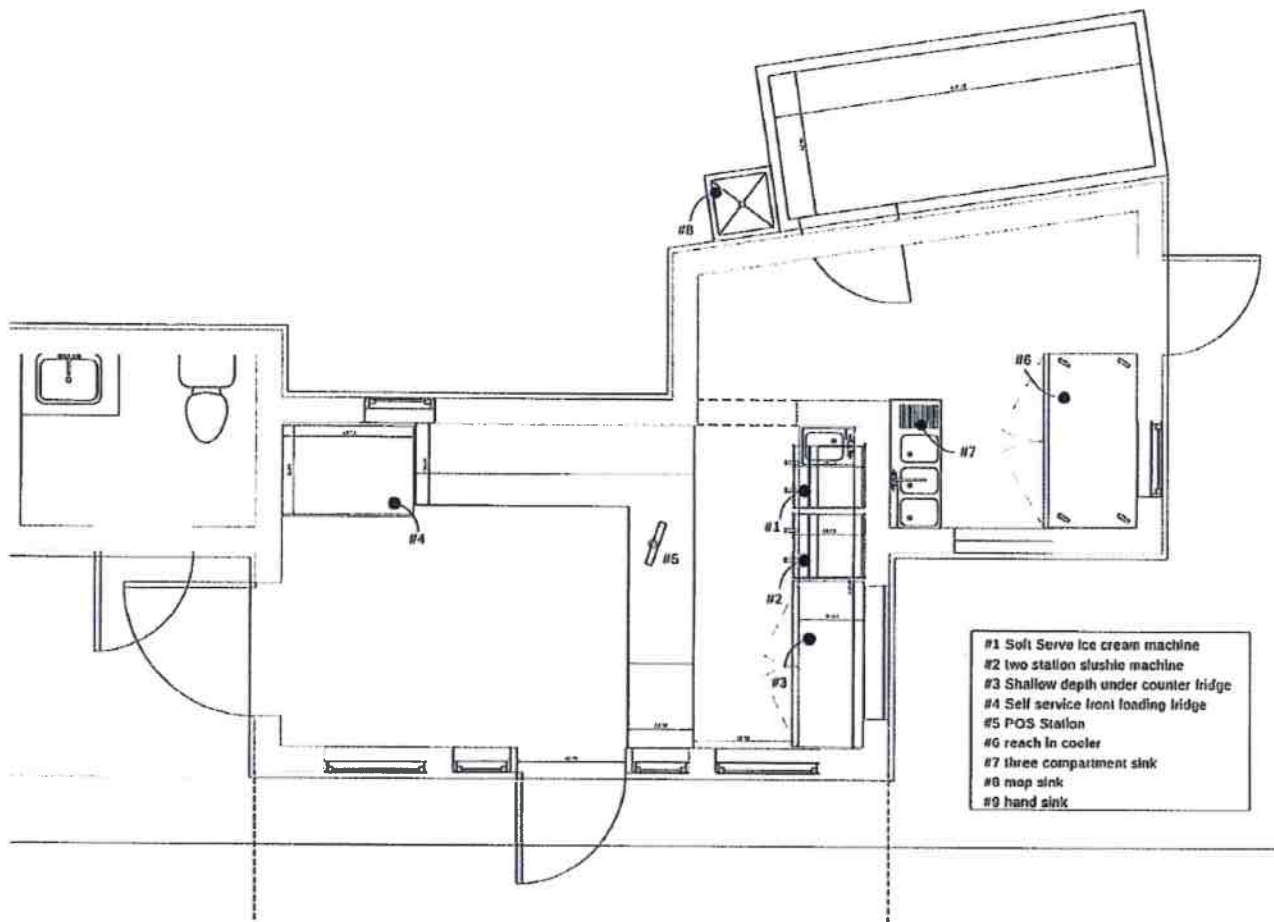
3. **General Provisions 3.10.2:**

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](#).



Proposed rendering



Proposed floor plan

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 (FLUM) designates the subject property as *Traditional Commercial*. The Traditional Commercial classification allows for 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 among collectors and arterials. Characteristics include walkability, limited or on-street parking, and multi-tenant retail. The proposed restaurant with accessory alcohol sales is compatible with the parcel's 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 for this 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 small restaurant/general store with accessory wine and beer served for guests within the outdoor seating area. The city regulates operational hours for businesses selling alcohol from 7:00 a.m. until 3:00 a.m. The petitioner is proposing operational hours be the following:

- Monday through Sunday – 6:00 a.m. until 10:00 p.m.

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

Staff Comment: The structure has enough interior square footage to accommodate the general store/restaurant with accessory alcohol sales use.

The interior space is approximately 292 square feet, and the outdoor seating area is approximately 300 square feet under the covered patio space.

Per Sec. 9.3.7.d no minimum parking is required. The parcel includes three (3) off-street parking spaces. The petitioner is proposing to have a guest food truck appear on site for additional meal options and park in one of the parking spaces available. The petitioner has also applied for a bike rack permit from the City of Savannah. There is a significant amount of on-street parking immediately around including Ware Street adjacent to Price Street.

- 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 recommends **approval with conditions:**

1. The Special Use permit shall be nontransferable.
2. Accessory alcohol sales for beer and wine only.
3. Operational hours shall be from 6:00 a.m. till 10:00 p.m.