



Chatham County - Savannah Metropolitan Planning Commission

Arthur Mendonsa Hearing Room
June 8, 2021 ~ 1:30 PM
Minutes

June 8, 2021 Regular MPC Meeting, 1:30 P.M.

Members Present: Joseph Welch, Vice-Chairman
Karen Jarrett, Secretary
Eula Parker, Treasurer
Laureen Boles
Elizabeth Epstein
Wayne Noha
Lee Smith
Dwayne Stephens
Malik Watkins

Members Not Present: Michael Brown
Travis H. Coles
Joseph Ervin
Ruel Joyner
Tom Woiwode

Staff Present: Melanie Wilson, Executive Director
Pamela Everett, Assistant Executive Director
Marcus Lotson, Director of Development Services
Kiakala Ntemo, Contract Planner
Jessica Hagan, Administrative Assistant
Julie Yawn, Systems Analyst

I. Call to Order and Welcome

II. Invocation and Pledge of Allegiance

III. Approval of Agenda

[1. Approval of Agenda](#)

The agenda was approved as submitted.

Motion

Approve the agenda as submitted.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Wayne Noha

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

IV. Notices, Proclamations and Acknowledgements

[2. June 29, 2021 Personnel Committee Meeting, 10:30 A.M., GO-TO- WEBINAR \(VIRTUAL\) to access go to: www.thempc.org.](#)

[3. June 29, 2021 Finance Committee Meeting, 11:00 A.M., GO-TO- WEBINAR \(VIRTUAL\) to access go to: www.thempc.org.](#)

[4. June 29, 2021 Regular MPC Meeting, 1:30 P.M., Planning Commission, GO-TO- WEBINAR \(VIRTUAL\) to access go to: www.thempc.org.](#)

Information Item(s) for Board Members

[5. Development Plans Submitted for Review](#)

[📎 May 3 2021 Development Review Log.pdf](#)

V. Item(s) Requested to be Removed from the Final Agenda

[6. REZONING MAP AMENDMENT | 6098 Ogeechee Road | Rezone from R-A to BN & RTF | 21-002357-ZA](#)

Motion

The petitioner has requested that this item be Postponed to the June 29, 2021 Regular MPC Meeting.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Wayne Noha

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

[7. SPECIAL PERMITTED USE | 348 Whitaker Street | Special Use for Alcohol Sales by the Drink in Association](#)

[with a Restaurant | File No. 21-002772-ZA](#)

Motion

The petitioner has requested that this item be Postponed to the June 29, 2021 Regular MPC Meeting.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Wayne Noha

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

VI. Items Requested to be Withdrawn

[8. SPECIAL USE REQUEST | 10601 Abercorn; 99,101 & 103 Wilshire Boulevard - Package Store](#)

Motion

The petitioner has requested that this item be Withdrawn from the June 8, 2021 Regular MPC Meeting.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Dwayne Stephens

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

[9. REZONING MAP AMENDMENT | 10601 Abercorn St and 99,101,103, 105, 107 & 109 - Rezone from PUD - IS to BN / 16 21-001929](#)

Motion

The petitioner has requested that this item be Withdrawn from the June 8, 2021 Regular MPC Meeting.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Dwayne Stephens

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

The Consent Agenda consists of items for which the applicant is in agreement with the staff recommendation and for which no known objections have been identified nor anticipated by staff. Any objections raised at the meeting will result in the item being moved to the Regular Agenda. At a 12:30 briefing, the staff will brief the Commission on Consent Agenda items and, time permitting, Regular Agenda items. No testimony will be taken from applicants, supporters or opponents, and no votes will be taken at the briefing.

VII. Consent Agenda

[10. Approval of the May 18, 2021 Briefing and Regular Meeting Minutes.](#)

[📎 05.18.2021 Meeting Minutes.pdf](#)

[📎 05-18-2021 MPC BRIEFING MINUTES.pdf](#)

The May 18, 2021 briefing and regular meeting minutes were approved as submitted.

Motion

Approve the Briefing and Regular Meeting Minutes.

Vote Results (Approved)

Motion: Wayne Noha

Second: Karen Jarrett

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

VIII. Old Business

[11. ZONING MAP AMENDMENT | 815 Wheaton Street | Rezone request from I-L to IL-T | File No. 21-002124-ZA](#)

📎 [Wheaton St visuals rev.pdf](#)

📎 [Staff Report 6.4 rev.pdf](#)

Mr. Kiakala Ntemo, Urban Planner, stated the petitioner is requesting to rezone a 3.1 acre lot on 815 Wheaton Street from its current zoning classification of Light Industrial (I-L) to the proposed zoning classification Light Industrial-Transition (IL-T).

The subject property is located in the Eastside neighborhood on the southwest corner of the intersection where Wheaton Street and the railroad tracks cross. The property was subdivided from its larger lot configuration in December of 2020 (20-002773-SUB), which resulted in the creation of two lots from a single lot. The subject property was formerly owned by CSX railroad company and has remained undeveloped property, consisting of wooded land, for over the past two decades. The subject property had been zoned I-L, prior to the City-wide zoning in 2019.

The County DFCS building is **approximately 95 feet** north of the subject property and is zoned OI-E. Across from the DFCS building on Wheaton Street is vacant land zoned PD, owned by Savannah Housing Authority. Directly east of the subject property on the opposite side of Wheaton Street are businesses that operate as an auto shop, car wash, and a barber shop; all zoned IL-T. Southeast of the subject property is a City owned recreation park zoned C-P, Conservation-Park. **Approximately 330 feet** east of the subject property is the Tiny Homes development for veterans zoned PD. Properties adjacent to the south of the subject property are zoned IL-T and are developed with warehouses. Further southwest of the subject property is Hubert Middle School, which is zoned RSF-5. The southernmost portion of the subject property is **approximately 460 feet** in distance from the building of the school. To the west of the subject property is vacant, undeveloped land and warehouse uses zoned I-L.

Per the City's current Comprehensive Plan, the subject property's Future Land Use category is labeled as Transportation/Communication/Utility. The definition of this Future Land Use category presumes that the land use of the subject property will be developed with uses that are solely supportive of railroad and airport facilities. There is a rail line that runs north of the subject property. Prior to being subdivided, the subject property was part of a larger parcel that was bound to the west by over 2,000 feet of rail line. The subject property has remained undeveloped for decades. The vacancy of the property shows that, although the property was near the rail line, it had not been developed to support the rail line other than serving as a natural barrier between other properties.

The IL-T zoning district permits less intense industrial uses and allows for more diverse development with uses that are geared towards commercial, office, and personal services. However, there are several uses permitted in IL-T that pose a potential detriment to the nearby uses and neighborhood, such as package stores and adult oriented businesses amongst a few others. I-L permits more intense industrial uses such as railyards, general manufacturing, solid waste transfer stations, and container storage yards. Consideration should be taken that there are other uses permitted in I-L that are not industrious in nature, but still not compatible with the surrounding neighborhood such as adult oriented businesses. Upon further review, Staff has determined that several uses should not be allowed in this area.

Mr. Jay Maupin, agent for the petitioner, stated my client has bought this parcel from CSX. Originally, CSX broke it out as a separate parcel and sold it to my client. I guess it was done through attorneys and didn't go through the City's process, so it was not recognized as a separate parcel. In the NewZO process, since this parcel wasn't recognized as a separate parcel, it was rezoned to IL.

Ms. Karen Jarrett, Board Member, asked if this has been discussed with the residents of the area about some of the uses?

Mr. Maupin, replied since this is downzoning with less intense uses, we have not met with anyone.

Ms. Jarrett, asked if this would be for retail uses.

Mr. Maupin, stated potentially.

No Public Comments

Motion

Approval of the request to rezone the property listed as 815 Wheaton Street (PIN: 20033 12033) from I-L to IL-T with the condition that the following uses not be permitted:

- 1.Bar; Tavern
- 2.Nightclub
- 3.Substance Recovery
- 4.Pawnshop
- 5.Check Cashing; Title Pawn
- 6.Package Store
- 7.Adult Oriented Businesses
- 8.Private Club; Lodge

Vote Results (Approved)

Motion: Karen Jarrett

Second: Elizabeth Epstein

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Aye

[12. ZONING MAP AMENDMENT | 315 West 38th Street | Rezone request from TN-2 to TC-1 | File No. 21-002322-ZA](#)

📎 [315 W 38th St visuals.pdf](#)

📎 [315 West 38th Staff Report.pdf](#)

📎 [315 W 38th St_21-002967-ZCL.pdf](#)

📎 [TN-2 corner lot uses.pdf](#)

Mr. Kiakala Ntemo, Urban Planner, stated the subject property is located on the southern side of West 38th Street bounded by Jefferson Street, West 39th Street (side), and Montgomery Street within the Streetcar Historic District. The subject property is the former site of St. Paul's Academy for Boys, which closed in 2014. Prior to St. Paul's, the site had historically operated as a school. The building was constructed in 1900 and is a contributing structure in the Thomas Square-Streetcar National Register Historic District. The applicant recently filed a COA (21-001950-COA) to rehabilitate and develop the building into an apartment building. The Historic Preservation Commission approved the petition to rehabilitate the historic building. The subject property was zoned TN-2, prior to the City-wide zoning in 2019.

To the north of the subject property are two single-family residences and several vacant properties zoned TN-2. Further north are more single-family residences fronting on 37th Street zoned TN-2. The

convenience store on the corner of Montgomery and 37th Street and the restaurant across the street from the subject property are zoned TC-1. To the east of the subject property are parcels developed with single and two-family residences zoned TN-2. South of the subject property is TN-2 zoned property developed with single and two-family residences and a vacant lot on the corner of 39th Street and Montgomery Street zoned TC-2. To the west of the subject property is Wells Park, a City-owned park/playground zoned TN-2.

Rezoning the subject property would allow for a greater number of uses that are more intense and have the potential to attract more vehicular traffic and parking to the area. The existing building on the subject property is limited in available off-street parking and its physical structure cannot be altered due to its contributing status. It is likely that there will be an increase of on-street parking, regardless of what is developed. The more intense the use, the more on-street parking will be present.

The Comprehensive Plan Future Land Use Map designates the subject property as Traditional Commercial. The Comprehensive Plan defines the category as "Business areas in close proximity to downtown or in outlying historically settled areas having development patterns 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 immediate area of the subject property is developed with a mix of uses and zoning districts. Towards the west of the subject property is Martin Luther King Jr. Blvd and Montgomery Street, both minor arterial roadways, that consist of commercial zoning and uses. There is a pattern of properties fronting Montgomery Street, zoned as TC-1 and TC-2, and there is a pattern of properties fronting Jefferson Street, zoned as TN-2. The subject property expands the width of the block of West 38th Street between Montgomery Street and Jefferson Street.

Article 7 Section 7.11.4 identifies that the subject property is within the Martin Luther King, Jr. Boulevard - Montgomery Street Urban Redevelopment Area. (See attached document). The Overlay establishes additional development standards and prohibits certain uses typically permitted in the base zoning district. The fact that the property is within this redevelopment area has little impact as it relates to a zoning decision. If the request is approved, the prohibited uses cited in the overlay does not eliminate the possibility of the subject property being developed into other intense uses still permitted in the TC-1 zoning district.

Many of the residences in the immediate area, south and east of the subject property do not have off-street parking and park on their respective or nearby streets. The TC-1 zoning district allows for commercial uses that generally attract more vehicular traffic. This increase in vehicular traffic has the possibility to create a larger issue of parking for residents in the area. Also, TC-1 allows for a greater density of residential dwellings, which has the potential to increase the number of cars in the area.

The definition for the Future Land Use category, Traditional Commercial, explicitly states "the category includes residential uses that are compatible with the character of adjacent neighborhoods". At this particular location, TC-1 would allow for residential uses that are much higher in density than the surrounding residences in the TN-2 zoning district. This is not compatible with the character of the neighborhood.

Mr. Josh Yellin, agent for the petitioner, stated that in the TN-2 district there is a provision that states a building with all of the characteristics listed in the Ordinance shall be permitted to establish any use allowed in the TC-1 district, subject to the development standards of the TN-2 district. We are proposing multi-family apartments, but unfortunately under the City's interpretation of the Ordinance we are not permitted to request a density variance. We have to request a rezoning, so we can go from 15 units of multi-family to 27 units. We have received the COA. We have met with Savannah Historic Foundation and they are in support of this rezoning. The Thomas Square Neighborhood Association is also in support of this rezoning. The applicant will be utilizing historic tax credits to pursue this deal. We do have a zoning confirmation letter from the City of Savannah, which does confirm that we are grandfathered 22 parking spaces. We are currently proposed for a 27-unit apartment complex. 22 parking spaces are exempt. We are currently proposing 20 parking spaces, 9 moped spaces and 30 space bike rack. We are well exceeding the requirements of the Ordinance.

Mr. Michael Garcia, Project Designer at LS3P, stated under our current zoning of TN-2 because of the

lot area per unit requirement, we are held to 1,750 square feet per unit. That averages about 16 units based off the current structure. We are able to fit 15 units and they will be mixed with 1,2 and 3 bedroom apartments. We would be at about 30 occupants. Under TC-1, we would be able to build 27 single unit dwellings and would average about 28 occupants for the total building. We looked at off-street parking in the area over several days, and there didn't seem to be a lot of cars parked on the street.

Mr. Brent Watts, petitioner, stated this is not affordable housing, but it is workforce housing. If we can get the rezoning request approved, we can have smaller units that will allow us lower price points.

Public Comments:

Ms. Celeste Cavert, spoke for the Thomas Square Neighborhood Association. She stated they are in support of this project.

Ms. Sue Adler, CEO and President of the Historic Savannah Foundation, stated they are in support of the rezoning.

Motion

Approve the request to rezone the property listed as 315 West 38th Street from TN-2 to TC-1.

Vote Results (Approved)

Motion: Wayne Noha

Second: W. Lee Smith

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Nay
Dwayne Stephens	- Nay
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Nay
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

IX. Regular Business

[13. TEXT AMENDMENT: HISTORIC BUILDINGS MAP | Cuyler-Brownville Historic District | 21-001516-COA](#)

- 🔗 [617 West 31st Street - Owner Objection.pdf](#)
- 🔗 [Commercial Buildings - Survey Reports and Photos.pdf](#)
- 🔗 [Institutional Buildings - Survey Reports and Photos.pdf](#)
- 🔗 [Multi-Family Residential Buildings - Survey Reports and Photos.pdf](#)
- 🔗 [Outbuildings - Survey Reports and Photos.pdf](#)
- 🔗 [Single- and Two-Family Residential Buildings - Survey Reports and Photos - 1.pdf](#)
- 🔗 [Single- and Two-Family Residential Buildings - Survey Reports and Photos - 2.pdf](#)
- 🔗 [Single- and Two-Family Residential Buildings - Survey Reports and Photos - 3.pdf](#)
- 🔗 [617 West 31st Street - Deed.pdf](#)
- 🔗 [Proposed 2021 Map - Cuyler-Brownville Contributing.pdf](#)

🔗 [Proposed 2021 Map Supplement - Cuyler-Brownville Contributing Resources.pdf](#)

🔗 [Proposed Ordinance Revision 21-001516-ZA.pdf](#)

🔗 [Staff Report - 21-001516-ZA.pdf](#)

Ms. Leah Michalak, Director of Historic Preservation, stated this petition is to amend the Cuyler-Brownville District Historic Buildings Map to include 90 buildings of historic and architectural significance that were built in the Cuyler-Brownville District prior to 1937 and not previously listed as “contributing/historic.”

The Cuyler-Brownville Local Historic District was created in 1999 as part of the Zoning Ordinance for the City of Savannah. The purpose of the district is to promote sensitive rehabilitation of existing historic buildings and ensure the visual compatibility of new construction within the area.

Within the Cuyler-Brownville District, all buildings are classified as either contributing (historic) or non-contributing (non-historic) on the Cuyler-Brownville District Historic Buildings Map. The map was adopted in 1999 by City Council and the status of buildings has not been updated since that time; the map itself was transferred to ArcGIS in 2016.

The age of the current map and the realization that the areas outside the boundary of the National Register Historic District had not been properly surveyed spurred this update. The State Historic Preservation Office recommends that surveys be updated a minimum of every 10 years; the current Cuyler-Brownville District survey/map is 22 years old.

Taking no action leaves many buildings unprotected. The state enabling legislation provides for the preservation and protection of historic buildings, structures, appurtenances, and places that are of basic and vital importance for the development and maintenance of Savannah’s tourism industry, its culture, and for the protection of property values because of their association with history, and their unique architectural details. An on-going update of the Cuyler-Brownville District Historic Buildings Map is vital to this mandate.

Staff received one objection from the property owner at 617 West 31st Street which is the westernmost end unit of a quadplex. The owner stated (see attached objection) that the building was constructed in the 1990s (he believes 1997), not 1915 as research indicates. After discussing this with the owner, staff performed additional research. Although it is likely that the building was altered in the ‘90s, research indicates that the row was originally constructed in 1915. Staff located the deed from 1994 which indicates that there is a protective covenant placed in 1994; this is possibly where the confusion originates. Staff has also included the survey form current survey form from the most recent survey project in 2018-2020 which indicates a construction date of 1915. Staff recommends that this building remain on the Proposed Contributing Resources Map for inclusion in the amendment.

Currently, all buildings within the local design review area for the Cuyler-Brownville Historic District are reviewed for any exterior changes visible from a public right-of-way. However, only those buildings that are listed as contributing on the Historic Buildings Map require Historic Preservation Commission Review for demolition.

All buildings listed as non-contributing on the Historic Buildings Map that fit within the current Period of Significance (1867-1937) were analyzed by the MPC Historic Preservation Department following the 2018-2020 historic preservation fund grant project to resurvey the Cuyler-Brownville District. The consultant that performed the resurvey recommended an update to the map in their survey report. Staff used criteria based on the “National Register Criteria for Evaluation” as follows:

- a. Is the building associated with events that have made a significant contribution to the broad pattern of history?
- b. Is the building associated with the lives of persons significant in the past?
- c. Does the building embody the distinctive characteristics of a type, period, or method of construction, or represent a significant and distinguishable entity whose components may lack individual distinction?
- d. Does the building possess integrity of location?

e. Does the building possess integrity of design and materials?

f. Does the building possess integrity of setting?

Also consulted were the following documents: The 1997 “Cuyler-Brownville District National Register Nomination” by Beth Lattimore Reiter, the 1997 “Cuyler-Brownville Urban Redevelopment Plan” by the City of Savannah Department of Planning and Community Development, the 1999 MPC file regarding the adoption of the Cuyler-Brownville Planned Conservation District by City Council [File No. 99-12759], the 2011 “A Survey Report for the Western Boundary of the Cuyler-Brownville Planned Neighborhood Conservation District in Savannah, Georgia” by Savannah Development and Renewal Authority.

59 of the 90 buildings proposed to be added are single or two-family residential buildings. Other proposed additions include 16 outbuildings (garages and accessory dwelling units), eight (8) multi-family rowhouses buildings, five (5) institutional buildings (which include four (4) religious buildings and one (1) former museum), and two (2) commercial buildings (a former service station and a restaurant).

All 90 buildings proposed to be added fall within the current Period of Significance. Buildings proposed to be added which are within the National Register District boundary were likely overlooked when the map was originally created; buildings outside of the National Register District boundary (but within the local Historic District boundary) were never properly surveyed and added to the map since the local district’s inception. Staff located several attempts to survey this area within the MPC’s records; however, the project (for reasons unknown) was never completed.

No Public Comments

Motion

Amend the Cuyler-Brownville District Historic Buildings Map to include 90 buildings constructed prior to 1937 and not previously listed as contributing with an effective date of September 1, 2021.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Dwayne Stephens

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

[14. REZONING MAP AMENDMENT | 527 E 39th Street | Rezone from TN-2 to PD | File No. 21-002411](#)

📎 [Staff Report-2411.pdf](#)

📎 [Maps Combined.pdf](#)

📎 [PD Boundaries.pdf](#)

📎 [Pic 527 E 39th.pdf](#)

📎 [Letter of Support.pdf](#)

📎 [Letter of Support2.pdf](#)

[Restaurant Zoning for 527 E 39th.pdf](#)

Mr. Marcus Lotson, Director of Development Services, stated the subject property is located on the south side of East 39th Street between Price Street and East Broad Street. It is 2,760 square feet in size and is developed with a single-family residence, built in 1920. The residence is approximately 1,200 square feet in size. Prior to the update of the zoning ordinance in 2019, the property was zoned BN (Neighborhood - Business). However, there are no Business Tax Certificates on file with the City of Savannah suggesting that it has always been used as a residence. The existing TN-2 classification was established with the new ordinance update based on the development pattern, historic residence and Future Land Use Category, which is Residential Single Family.

The subject property is part of a very stable residential block that exhibits characteristics of a Traditional Neighborhood. Other than on corner lots, nonresidential uses are not typical in neighborhoods that have this development pattern. Although the applicant has indicated that the proposed use is a restaurant, any of the other uses permitted by PD could be established, including retail. Staff finds these uses to be incompatible at this location and finds that the property is not conducive to retail or restaurants because of the size of the parcel and the inability to meet development standards.

We did receive several letters of support.

Mr. Bob Isaacson, petitioner, stated when we purchased the property it was zoned B-N and that was our intent to use it as commercial. Under the B-N zoning, it would allow the restaurant use that we want. The property was downzoned during the NewZo process. From what I have seen on the Future Land Use Map, it showed we would be consistent with the commercial use. We have gotten a lot of support from the surrounding properties. When we stated the PUD years ago, the goal was to have a mixed use neighborhood. We have one other retail use in the PUD now. The PUD has a total of about 1.96 acres and this would be a 3.1 percent increase to that total. We have a few restaurants that are interested in this property. The one we are leaning towards is an affordable, small 32 seat fine dining with a chef driving neighborhood-oriented restaurant. We think that would be compatible with the neighborhood. By putting this property into the PUD, we are adding other restrictions that are not in the zoning.

Ms. Karen Jarrett, Board Member, asked what is the parking requirement for a 32 seat restaurant?

Mr. Lotson, stated if this was being built new today, then it would be 21 parking spaces. But, I'm sure they have a few grandfathered in parking spaces. There might be some opportunities for shared and remote parking in the area.

Mr. Isaacson, stated that the PUD has a parking exemption for commercial use under 3500 square feet.

No Public Comments

Motion

Deny the petitioner's request to rezone 527 East 39th Street from TN-2 to PD for the purpose of including it in the East Broad Market Planned Development area.

Vote Results (Rejected)

Motion: Karen Jarrett

Second: Eula Parker

W. Lee Smith	- Nay
Joseph Welch	- Nay
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Nay

Laureen Boles	- Nay
Elizabeth Epstein	- Aye
Malik Watkins	- Not Present

Motion

Approve the petitioner's request to rezone 527 East 39th Street from TN-2 to PD for the purpose of including it in the East Broad Market Planned Development area.

Vote Results (Approved)

Motion: Wayne Noha

Second: W. Lee Smith

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Nay
Dwayne Stephens	- Nay
Eula Parker	- Nay
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Nay
Malik Watkins	- Aye

[15. ZONING TEXT AMENDMENT | East Broad Market PD | Expand Planned Development Boundaries | File No. 21-002377-ZA](#)

Mr. Marcus Lotson, Director of Development Services, stated the petitioner is requesting to amend the East Broad Market Lofts Planned Development (PD) to include an adjacent property, 527 East 39th Street, into the boundaries of the PD.

The East Broad Market Lofts PD consists of parcels comprising approximately 1.60 acres. The parcels are located on East Broad St., E. 38th St. and E. 39th St. The subject property is located adjacent to the southwest boundary of the Planned Development at 527 East 39th Street and is in the TN-2 (Traditional Neighborhood) zoning district.

The parcel proposed to be added to the PD is 30 feet in width and 92 feet deep, or 2,760 square feet. It is developed with a single-family residence, built in 1920, and is approximately 1,200 square feet in size.

The applicant has indicated that the intent of the adding the property to the PD boundaries is to convert the residence into a restaurant. Although the existing TN-2 zoning classification allows some nonresidential uses, it does not permit restaurants. The TN-2 district is as follows:

The TN-2 district is intended to ensure the vibrancy of historic residential neighborhoods with traditional development patterns characteristic of Savannah from approximately 1890 to 1930 during the streetcar and early automobile eras. While the district provides for primarily residential uses, it also includes limited nonresidential uses that were historically deemed compatible with the residential character of neighborhoods, including corner stores and mid-block ground floor office uses. The TN-2 district is intended for use only within the Streetcar Historic Overlay District.

The development pattern in the vicinity is a typical pattern found in this area and surrounding neighborhoods with larger scale buildings and nonresidential uses on corner lots and varying residential housing types fronting on east-west streets. This pattern is consistent with the district description and the use table, which permits some nonresidential uses in the TN-2 district when located on a corner lot. The

proposed addition of the property into the PD would allow nonresidential uses on an interior lot.

Prior to 2019, the subject property was zoned BN (Neighborhood Business). Staff reviewed the zoning map during the Ordinance update process. Based on the development pattern, it was determined that the property, which is in the Streetcar Historic District, should be zoned TN-2.

The proposed amendment to the existing East Broad Market Lofts PD would permit nonresidential uses on an interior lot within the Streetcar Historic District. Staff finds that this is inconsistent with the intent of the district and the development pattern in the neighborhood at-large. While a use such as an office, which is permitted under the TN-2 zoning, might serve as a transitional use moving away from East Broad Street, introducing more intense nonresidential uses further into the residential portion of the street is inadvisable.

No Public Comments

Motion

Approve the amendment to the East Broad Market Lofts PD to include 527 East 39th Street into the PD boundaries.

Vote Results (Rejected)

Motion: Wayne Noha

Second: W. Lee Smith

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Nay
Dwayne Stephens	- Nay
Eula Parker	- Nay
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Nay
Malik Watkins	- Nay

[16. SPECIAL PERMITTED USE | 9 West 43rd Street | Special Use for Alcohol Sales by the Drink in Association with a Restaurant | File No. 21-002668-ZA](#)

[9 W 43rd visuals 6.1.pdf](#)

[staff-report-6.8.pdf](#)

Mr. Kiakala Ntemo, Urban Planner, stated the petitioner is requesting a special use permit to operate a restaurant with alcohol sales. Restaurants are a permitted use in the TC-1 zoning district; however, a special use permit is needed to sell alcohol from restaurants in this zoning district.

The subject property is located on the southern side of West 43rd Street, bounded to the east by Bull Street, Victory Street towards the south, and Whitaker Street towards the west. The subject property is 11,520 sq ft or .26 acres, with a lot width of 120 ft and lot depth of 90 ft. The subject property was created from a recombination of two lots in 2017 (17-006816-SUBP). The property is developed with a vacant two-story residential building that is currently being rehabbed to house a restaurant/coffee shop.

The subject property is located in the evolving area of the Metropolitan neighborhood and Streetcar Historic District, popularly known as Starland. The immediate vicinity is developed with restaurants, bars, and commercial stores. There is a two-family residence across the street from the subject property. This residence is on a lot that is also developed with a vacant commercial structure. Abutting this residence to

the east is a barbecue restaurant. This is the only residentially-developed property in the immediate vicinity. TC-1 is a zoning district that permits a mix of residential and commercial uses, given they meet certain criteria. The addition of a commercial use (restaurant with alcohol sales) to this immediate area is not likely to disrupt the existing character of the area. The subject property and the two family residence are the only properties that have frontage on this portion of West 43rd Street.

The site plan submitted by the applicant has the specific restaurant use listed as a coffee shop. The submitted plans show the proposal to be a two-story structure with an area of 1,744 square feet and an outdoor dining deck of 465 sq feet. There are 17 off-street parking spaces being proposed on the subject property and an unstriped area labeled as overflow parking. The subject property is in the Victorian and Streetcar Parking District and is permitted a reduction to the off-street parking requirement by 25%. The total square footage of the proposed building and the outdoor dining area reduced by 25% produces a required number of 22 parking spaces. The overflow parking area may be able to provide for the 5 more spaces needed. A designated off-street loading space is not detailed on the provided plans. Given the nature of the restaurant, a loading space may not be necessary.

Mr. Dana Braun, agent for the petitioner, stated the petitioner is planning to move her coffee shop to this location. It is a Venezuelan-type coffee shop that plans to be open for breakfast and lunch. We agree with the hours of operation. There are 28 parking spaces and, in the overflow area, we could accommodate 12 more spaces. These plans are permitted under the old Ordinance.

Mr. Kevin Rose, architect for the project, stated this was permitted under the old Ordinance, so a few parking spaces are not required that would be under NewZo. The plan we submitted was approved for permitting a year ago. We have been going through the tax credit process and that has taken forever because of COVID. That's why we are here now. The parking lot was designed to meet the standards at the time of permitting and was permitted under the old Ordinance. Per the City planners, we eliminate parking spaces so we would have less run off in the neighborhood.

Ms. Maria LaPreya, petitioner, stated the idea for this project is to feed the community with more culture. It will be breakfast and lunch. I'm hoping to operate from 7 a.m. to 10 p.m. I'm looking to offer an opportunity for people to have a coffee shop.

No Public Comments

Motion

Approve the request for a special permitted use of a restaurant with alcohol sales at 9 West 43rd Street with the following conditions:

- The restaurant will only operate between the hours of 7am and 10pm.
- The overflow parking area provide a minimum of 5 parking spaces.

Vote Results (Approved)

Motion: Wayne Noha

Second: W. Lee Smith

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye

[17. ZONING TEXT AMENDMENT | SEC 7.11.13.c | MLK / MONTGOMERY CORRIDOR | File No. 21-00284-ZA](#)

[Staff Report - 2884.pdf](#)

Mr. Marcus Lotson, Director of Development Services, stated upon the adoption of the current Savannah Zoning Ordinance, an omission occurred pertaining to density and height in the TC-2 (Traditional Commercial-2) zoning district. The omitted language is specific to the Streetcar Historic Overlay District (Section 7.11). The language was included, as it should have been, in the Victorian Historic Overlay District (Section 7.9), but inadvertently left out of the Streetcar District.

Certain properties within the MLK / Montgomery corridor were brought into the Streetcar Historic District in 2018. Before 2018, the corridor was in a gap between Streetcar and Cuyler Brownville. Council approved an amendment to bring the gap area into the Streetcar District and allow properties in the corridor to have density governed by dwelling unit size and maximum height like downtown. A 450 square foot minimum for a dwelling unit was adopted, as well as height standards of 4 stories not to exceed 55 feet. This was applied to the TC-2 district in Streetcar and Victorian.

The properties in the corridor, which had base zoning districts under the old ordinance like B-G, B-C etc., were rezoned to Streetcar districts like Traditional Neighborhood & Traditional Commercial. These districts also replaced the old districts in Victorian 1-R, 2R, 3R & 1B, 2B & 3B.

When NewZo was adopted, the density and height language got transferred for the Victorian District section but left out for the Streetcar District section. In the current Ordinance, the Victorian Section (7.9.14) has this language, Streetcar does not even though it was adopted as such.

The language that should have been included in the Streetcar Historic Overlay District for the Martin Luther King, Jr. Boulevard and Montgomery Street portion of the Ordinance is highlighted in red and underlined below:

Section 7.11.13 Additional Regulations Applicable to Martin Luther King, Jr. Boulevard and Montgomery Street

c. Additional Regulations Applicable to Martin Luther King, Jr. Boulevard and Montgomery Street

i. Parking and Access

New curb cuts along Martin Luther King, Jr., Boulevard or Montgomery Street shall be limited to one (1) curb cut per 100 feet of street frontage. Such curb cut shall not exceed 20 feet in width unless otherwise required by the City Manager or his or her designee.

i. TC-2 Development Standards

For properties zoned TC-2 that are located within the Martin Luther King, Jr. Boulevard/Montgomery Street Urban Redevelopment Area and that do not contain a contributing structure, the following standards apply:

1. Density. A maximum residential density is not required for multi-family development; however, a minimum floor area requirement of 450 square feet is applicable.
2. Height. The maximum height is four (4) stories or 55 feet maximum up to 150 feet from the right-of-way of Montgomery Street. For a distance greater than 150 feet, the maximum height is the limit specified for the base district.

When an abutting parcel contains an existing residential dwelling, the maximum height shall not be more than one (1) story taller than the residence within 30 feet from the exterior wall of the residence.

Staff views the proposed change as a correction of an error that occurred during the transition between ordinances. The amendments were based on multiple discussions held with City Council and the community about the need to include the parcels along the Martin Luther King, Jr. Boulevard and Montgomery Street Corridor between Anderson Lane and Victory Drive in the Mid-City District. Now that

the map has been amended to close the gap and the new standards are in place, the desired changes are complete with the adoption of the corrected language.

No Public Comments

Motion

Approve the request to amend the Ordinance as outlined.

Vote Results (Approved)

Motion: Karen Jarrett

Second: Wayne Noha

W. Lee Smith	- Aye
Joseph Welch	- Aye
Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Aye

[18. ZONING TEXT AMENDMENT | Section 2 Definitions; Section 3-6.1 Location of Accessory Buildings on Residential Lots](#)

[Staff Report Text Amendment County.pdf](#)

Mr. Marcus Lotson, Director of Development Services, stated in review of the Zoning Ordinance, staff has identified certain omissions that have resulted in unwanted outcomes on residential properties specific to accessory structures. Accessory buildings are typically any detached building that is subordinate to a principal residential use on the same parcel of land. These buildings may include detached garages, storage buildings, pool houses or buildings of a similar nature.

Section 2 of the Ordinance is the Definition section. It does not include a definition for Residential Accessory Buildings. The only definition reference to accessory buildings in the Ordinance relates to temporary construction trailers. The lack of a definition requires that the County Building Official make a determination, on a case-by-case basis, as to what is an accessory building.

Accessory buildings have different development standards than principal residential dwellings. Because of the lack of clarity in what is “accessory,” a building that is clearly designed as accessory could be “attached” to a principal building, with a long breezeway for example, in an effort to circumvent setback requirements.

Regarding the location of accessory buildings, they are required to be in rear yards, with the exception of waterfront property where they can be in front yards with conditions related to maximum square footage, height and design. The current language, specific to height simply requires “one story” for accessory buildings in front yards but does specify number of feet. The language specific to building materials only requires that it be “compatible”. The proposed language below is designed to create a new definition for Accessory Building – Residential and clarify the development standards for such buildings.

Proposed Changes are in **Bold** and Underline / Proposed Deletions are in **Red** and ~~Strikethrough~~

2-1A. Accessory Buildings – Residential. Any detached building on a residential lot that is subordinate to a principal residential dwelling and is typically used for storage of vehicles, household or recreational equipment or other similar use, and which may be climatized. For these purposes, any building connected to a principal building by a breezeway or similar architectural feature greater than 12 feet in length shall be considered detached.

Sec. 3-6.1 Location of Accessory Buildings on Residential Lots.

On a residential lot, accessory buildings and structures shall be permitted in rear yards only. On a residential lot, accessory buildings and structures shall be set back not less than five feet from any lot lines; provided however, that in the case of a corner residential lot, accessory buildings shall be set back from the center line of an abutting street a distance equal to the side yard requirements described in Section 3-9, and provided that such structures shall be set back not less than five feet from the right-of-way line of a lane and shall not be constructed within public drainage or water line or sewer line easements. Accessory buildings or structures shall not have their own electrical meters **with the exception of marine docks and barns that do not include habitable space.** Provided further that accessory structures on properties directly abutting rivers or saltwater marshes shall not be restricted to rear yards, if such accessory structures meet the following requirements:

- a. The accessory ~~structure~~ **building or structure** is set back a minimum of fifty (50) feet from a vehicular right-of-way and ten (10) feet from adjoining property lot lines.
- b. The accessory **building or** structure ~~shall does~~ not exceed 900 square feet in size and shall not exceed ~~one story in height.~~ **50% of the maximum height permitted in the zoning district. Provided however that an additional foot in height shall be permitted for each additional foot in which the property is setback from the property lines, not to exceed 25 feet.**
- c. The accessory structure is constructed of materials ~~of like kind in appearance of those used in construction of the principal residential dwelling on the site and is compatible with development on adjoining lots~~ **in keeping with the principal residential building and / or the residential character of the area, as determined by the Building Official.**

Mr. Wayne Noha, Board Member, stated he has concerns with the maximum square feet in item C. where we talk about the "accessory structure constructed of materials in keeping with". I think "in keeping with" should be followed with the size of a building. Some of the larger lots with large homes, like on Wilmington Island, if you have a 10,000 square foot home and put a 900 square foot building out front, to me it will devalue the property. I would like to send this back to staff for better review. I think it's a good start, but it needs to be tweaked.

Mr. Lee Smith, County Manager, Board Member, stated that he would like MPC and Building Safety staff to work together and come back with something as clear as possible before we take it over to County Commission.

No Public Comments

Motion

Continue to the next MPC meeting on June 29, 2021.

Vote Results (Approved)

Motion: Wayne Noha

Second: Dwayne Stephens

W. Lee Smith - Aye

Joseph Welch - Aye

Karen Jarrett	- Aye
Dwayne Stephens	- Aye
Eula Parker	- Aye
Wayne Noha	- Aye
Laureen Boles	- Aye
Elizabeth Epstein	- Aye
Malik Watkins	- Aye

X. Presentations

XI. Other Business

XII. Executive Session

The Planning Commission may adjourn to Executive Session for the purposes that may include litigation, personnel, or any other matter allowed by the Georgia Open Meetings Act.

Motion to recess to Executive Session.

XIII. Adjournment

[19. Adjourn](#)

There being no further business to present before the Board, the June 8, 2021 Regular Metropolitan Planning Commission Meeting adjourned at 4:20 p.m.

Respectfully submitted,

Melanie Wilson
Executive Director

MW/jh

The Chatham County - Savannah Metropolitan Planning Commission provides meeting minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.