



## SAVANNAH ZONING BOARD OF APPEALS

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### STAFF REPORT

**PETITIONER:** William Glass as agent for GIKI, LLC  
**FILE NO:** 19-005042-ZBA  
**ADDRESS:** 535 E. 39<sup>th</sup> St.  
**DATE:** October 24<sup>th</sup>, 2019

#### **Nature of Request**

The petitioner, William Glass as agent for GIKI, LLC, is requesting special use approval to operate a microbrewery limited to a production of less than 3,000 barrels (or 93,000 gallons) of craft beer and/or ale per year. The subject site is 535 E. 39<sup>th</sup> St., located within the East Broad Market Lofts Planned Unit Development (PUD).

#### **Findings**

1. The subject property is located at 535 E. 39<sup>th</sup> St. and is located within the East Broad Market Lofts Planned Unit Development (PUD), mixed-use designation. The East Broad Market Lofts PUD is governed by Article S of the City of Savannah Zoning Ordinance. Refer to **Exhibit A – Maps**.
2. The subject property is located within the boundaries of the Streetcar local historic district. A Certificate of Appropriateness may be necessary for any external building or site modifications.
3. The subject property, located at the southwest corner of Broad St. and E. 39<sup>th</sup> St., is currently improved with a single-story commercial building and associated parking area. Refer to **Exhibit B – Streetview and Pictometry**.
4. Per the submitted project narrative (**Exhibit C – Application and Project Narrative**), the petitioner intends to operate a small microbrewery and restaurant within the existing building on site. The narrative states that, *“the project, as proposed, is intended to be a local, neighborhood-friendly food and beverage business focusing on fine wood-fired fare as well as craft beer brewed on site.”*
5. The petitioner recently applied for a text amendment to the East Broad Market Lofts PUD (Article S) to permit microbreweries limited to a production of less than 3,000 barrels (or 93,000 gallons) of craft beer and/or ale as a special use subject to ZBA approval within the mixed-use designated areas of the PUD. The Mayor and Aldermen approved this text amendment at the October 10<sup>th</sup> City Council meeting.

6. Per the project narrative, the hours of operation will be 11 AM to midnight, daily. Estimated staff includes 8 persons and estimated capacity is 100 persons.
7. Non-residential uses exceeding 2,500 gross sq. ft. within the East Broad Market Lofts PUD are required to provide parking at a rate of one space per 1,000 sq. ft. of gross floor area. Per the Chatham County Board of Assessors the existing building contains 3,177 sq. ft., requiring 3 parking spaces. Per the project narrative the existing site contains five parking spaces, including two ADA spaces, satisfying this requirement.
8. Per Section 8-3163(b), the Zoning Board of Appeals shall hear and decide upon requests for permission to establish uses upon which the board of appeals is required to pass under the terms of the chapter. The application to establish uses shall be approved on a finding by the board of appeals that:

- (1) *The proposed use does not affect adversely the general plans for the physical development of the city, as embodied by this chapter, and in any master plan or portion thereof adopted by the mayor and aldermen.*

**MPC Comment:** The proposed use does not adversely affect the general plans for the city, nor the purposes of the East Broad Market Lofts PUD. The proposed use is permitted as a special use within the areas of the PUD designated as mixed-use. Further, the subject property is designated as Traditional Commercial within the City's Future Land Use Plan; the proposed use is consistent with the intent of the Traditional Commercial designation.

- (2) *The proposed use will not be contrary to the purposes stated for this chapter.*

**MPC Comment:** The proposed use will not be contrary to the purposes laid out within East Broad Market Lofts PUD.

- (3) *The proposed use will not affect adversely the health and safety of residents and workers in the city.*

**MPC Comment:** The proposed use, in and of itself, will not likely adversely affect the health and safety of residences and workers within the city. However, staff notes that the subject site is immediately adjacent to residential uses to the north, west, and south. Limited hours of operation between Sunday and Thursday may be warranted to protect these residences from adverse noise impacts.

- (4) *The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.*

**MPC Comment:** The proposed use, in and of itself, will not likely adversely affect the development of adjacent properties. However, staff notes that the subject site is immediately adjacent to residential uses to the north, west, and south. Limited hours

of operation between Sunday and Thursday may be warranted to protect these residences from adverse noise impacts.

- (5) *The proposed use will not be affected adversely by the existing uses.*

**MPC Comment:** Adjacent residential and commercial uses will not adversely affect the proposed use.

- (6) *The proposed use will be placed on a lot of sufficient size to satisfy the space requirements of such use.*

**MPC Comment:** The existing lot is of a sufficient size to satisfy the space requirements of such use.

- (7) *The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement, noise or fume generation or type of physical activity.*

**MPC Comment:** The proposed use, functioning as a neighborhood restaurant and brewery, would not likely constitute a nuisance or hazard because of vehicular movement or noise. However, as previously noted, limited hours of operation may be warranted between Sunday and Thursday.

- (8) *The standards set forth for each particular use which a permit may be granted have been met.*

The Mid-City District (Article K) sets the following additional standards for microbreweries:

- a. *Such use shall be located on an arterial street as identified in Section 8-3025(g)*
- b. *Such use shall be restricted to the production of up to 3,000 barrels of beer/ale per year.*

**MPC Comment:** Broad Street is classified as an arterial street. These standards have been satisfied.

### **Staff Recommendation**

Based on the recent East Broad Market Lofts PUD text amendment approved by City Council, staff finds that the proposed microbrewery and restaurant is generally consistent with the intent of the PUD, the Future Land Use Map, and the general character of this portion of Broad St. Further, staff finds that, with conditions that slightly limit hours of operation on weekdays, the proposed use substantially satisfies the special use criteria contained within the Zoning Ordinance.

As such, staff recommends **approval** of the requested special use, microbrewery limited to a production of less than 3,000 barrels (or 93,000 gallons) of craft beer and/or ale per year at 535 E. 39<sup>th</sup> St., subject to the following condition:

1. Hours of Operation: The microbrewery shall not be open past 11 PM between Sunday and Thursday.

*This recommendation could change subject to new information provided at the Zoning Board of Appeals meeting. Final decisions will be made by the Zoning Board of Appeals at the public hearing based on information provided at the meeting, as well as information submitted for the staff report.*