



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: November 28, 2023
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: Special Use Request

PETITION REFERENCED:

Petitioner: Joshua Yellin
Property Owner: Lincoln Park Ventures, LLC
Address: 222 East 41ST Street (Unassigned – 220 E 41ST ST)
Alderman: District - 2 – Detric Legget
County Commission: District - 2– Melinda Hodge
Property Identification Number: 20075 08010
Petition File No.: 23-005394-ZA

MPC ACTION:

Approval of the request for a Special Use permit to allow a bakery with accessory alcohol sales with conditions. (1) The Special Use permit shall be nontransferable; (2) Accessory alcohol sales shall include beer and wine only; (3) Hours of operation shall be: Monday thru Thursday, 7:00 a.m. to 7:00 p.m., Friday thru Saturday, 7:00 a.m. to 3:00 a.m. (contingent on Thomas square neighborhood support for 3 am closing rather than 2 am), Sunday, 9:00 a.m. till 2:00 p.m.

MPC STAFF RECOMMENDATION:

Approval of the request for a Special Use permit to allow a bakery with accessory alcohol sales in the TC-1 zoning district along 222 East 41st Street (220 East 41st Street) with conditions: (1) The Special Use permit shall be nontransferable; (2) Accessory alcohol sales shall include beer and wine only; (3) Hours of operation shall be: Monday thru

Thursday, 7:00 a.m. to 7:00 p.m.,
Friday thru Saturday, 7:00 a.m. to
2:00 a.m., Sunday, 9:00 a.m. till 2:00
p.m.

MEMBERS PRESENT: 10

Traci Amick
Michael Kaigler
Travis Coles- Vice Chair
Elizabeth Epstein
Karen Jarrett - Chairwoman
Jay Melder
Wayne Noha
Tom Woiwode
Laureen Boles
Dwayne Stephens

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

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

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
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 Savannah City Council

From: The Planning Commission

Date: November 28, 2023

Subject: Special Use Request

Petitioner: Joshua Yellin, Agent for Be Careful What You Think About, LLC

Property Owner: Lincoln Park Ventures, LLC

Address: 222 East 41st Street (Unassigned - 220 E 41st St)

Alderman: District 2 – Alderman Detric Leggett

County Commission: District 2 – Commissioner Melinda Hodge

Property Identification Number: 20075 08010

Petition File No.: 23-005394-ZA

REQUEST: The Petitioner requests approval of a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to establish accessory alcohol sales within a bakery in the TC-1 zoning district. The Special Use process includes review by the Planning Commission and the Savannah City Council. Should the request be approved by the City Council, approval and issuance of an alcohol license will still be required for the sale of alcoholic beverages. The scope of the present review includes only those criteria established by the Zoning Ordinance regarding appropriateness of the use at the requested location.



BACKGROUND: The structure at 220/222 East 41st Street is a non-contributing resource in the Thomas Square Streetcar National and Local Historic Districts. It is located within a mixed residential and commercial area at the intersection of East 41st and Lincoln Streets.

The subject parcel is a conforming lot within the TC-1 zoning district, consisting of 0.124 acres (5,400 sf) in lot area and having 60 feet of frontage on E 41st Street. The property abuts a duplex on one side and other commercial structures, including the Lone Wolf Lounge, on the other. Primary ingress/egress as well as parking are provided via frontage on E 41st Street.

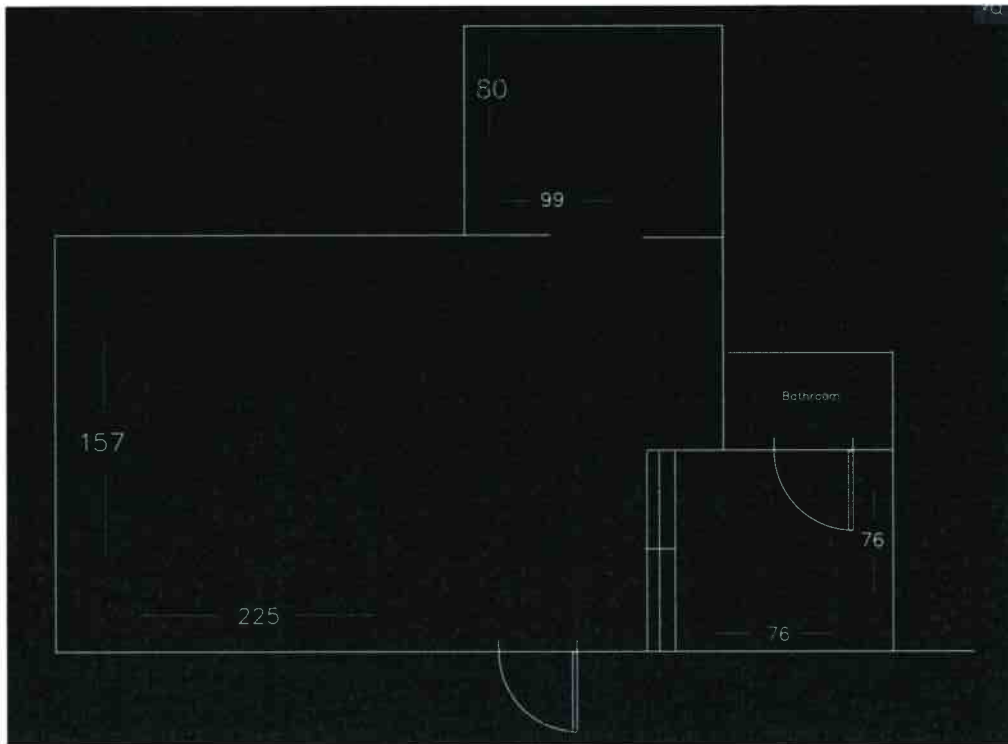
The Petitioner intends to open a bakery within the existing 1,246 sf commercial structure built in 1970. Use as a bakery is permitted by right within the zoning district. Requested at present is a Special Use Permit to allow accessory alcohol sales in association with the principal bakery use.

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 via the internet.

2. **Existing Development Pattern:**

The land uses and zoning districts surrounding the subject property include:

Location	Land Use	Existing Zoning
North	Vacant / Parking Lot	TC-1
South	Picker Joe's Antique Mall	TC-1
East	Lone Wolf Lounge	TC-1
West	Duplex	TC-1



Proposed Floor Plan

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](#).

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 bakery with accessory alcohol sales would be compatible with the parcel's future land use designation, current zoning, and the general pattern of development in the area.

- 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 Petitioner will be required to comply with the stipulation that alcohol sales shall be only for on-premises consumption.

- 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 City regulates operational hours for businesses selling alcohol from 7:00 a.m. until 3:00 a.m. The Petitioner proposes the following operational hours:
 - Monday – Thursday: 7am to 7pm
 - Friday – Saturday: 7am to 2am
 - Sunday – 9am to 2pm

- The subject parcel is within a parking reduction area, and at less than 3,000 square feet has no off-street parking requirement. Two spaces are available in front of the structure.
- The proposed principal use is permitted by right in the present zoning district. The requested accessory use is substantially similar to others nearby, and not likely to be of an intensity that would alter existing neighborhood character.

d) Whether the subject property is adequate in shape and size to accommodate the Special Use;

Staff Comment: The parcel is conforming within the TC-1 zoning district and is presently developed. The proposed use will occur within a portion of an existing building. No new development is proposed in association with the request. Additionally, the principal restaurant/bakery use is permitted by right.

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 site or structure of natural, cultural scenic or 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 evaluating the request against these standards, the subject property and proposed use may be regarded as appropriate. The site is developed for commercial purposes and the requested use is not substantially dissimilar to those in the immediate vicinity. Neither is it likely to have a

negative impact on adjacent properties.

ALTERNATIVES:

1. Approve the Petitioner's request as presented or with recommended conditions.
2. Deny the Petitioner's request.

RECOMMENDATION:

The Planning commission recommends approval of the requested Special Use with the following conditions:

1. The Special Use Permit shall be nontransferable.
2. Accessory alcohol sales shall include beer and wine only.
3. Hours of operation shall be:
 - Monday – Thursday: 7am to 7pm
 - Friday – Saturday: 7am to 3am (contingent on Thomas square neighborhood support for 3 am closing rather than 2 am)
 - Sunday – 9am to 2pm