



**METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**DATE:** April 30, 2024  
**TO:** THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH  
**FROM:** METROPOLITAN PLANNING COMMISSION  
**SUBJECT:** Special Use Permit

**PETITION REFERENCED:**

**Petitioner:** Josh Yellin

**Property Owner:** Asbury United Methodist Church

**Address:** 1201 Abercorn Street and 115 Duffy Street

**Alderman:** District - 2 – Detric Leggett

**County Commission:** District - 2– Malinda Hodge

**Property Identification Number:** 20053 03001 and 20053 03014

**Petition File No.:** 24-002006-ZA

**MPC ACTION:**

The Planning Commission recommends **approval** of the requested Special Uses to permit ancillary alcohol sales and to permit use as an event venue with following condition: 1) The Special Use Permit shall be nontransferable.

**MPC STAFF RECOMMENDATION:**

The MPC Staff recommends **approval** of the requested Special Uses to permit ancillary alcohol sales and to permit use as an event venue with following condition: 1) The Special Use Permit shall be nontransferable

**MEMBERS PRESENT:** 11

Traci Amick  
Stephen Plunk  
Travis Coles- Vice Chair  
Karen Jarrett – Chairwoman  
Laureen Boles  
Dwayne Stephens  
Tom Woiwode

Jeff Notrica  
Joseph Welch - Online  
Jay Melder  
Michael Kaigler

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation with conditions.  
(11-0)

<b>APPROVAL Votes: 11</b>	<b>DENIAL Votes: 0</b>	<b>ABSENT</b>
Amick Coles Melder Notrica Plunk Welch Woiwode Boles Jarrett Kaigler Stephens		Ross Ervin Noha

Respectfully submitted,



Melanie Wilson  
Executive Director and CEO

MW/sh

Enclosure

cc Mark Massey, Clerk of Council  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Bridget Lidy, Planning and Urban Design



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 City Council  
**From:** The Planning Commission  
**Date:** April 30, 2024  
**Subject:** Special Use Request  
**Petitioner:** Joshua Yellin, Hunter Maclean  
**Property Owner:** Beverly Copeland, Trustee  
**Address:** 1201 Abercorn Street and 115 E. Duffy Street  
**Alderman:** District 2 – Alderman Detric Leggett  
**County Commission:** District 2 – Commissioner Malinda Scott Hodge  
**Property Identification Number:** 20053 03001 & 20053 03014  
**Petition File No.:** 24-002006-ZA

**REQUEST:** The Petitioner requests approval of a Special Use pursuant to Section 3.10 of the Savannah Zoning Ordinance to permit accessory alcohol sales within a restaurant. At the time of drafting of this report, the Future Land Use designation of the property is Traditional Neighborhood, and the zoning is TN-1 (Traditional Neighborhood-1). This Special Use request was submitted concurrently with requests for Future Land Use Map (FLUM) amendment (24-002111-ZA) and zoning map amendment (24-002006-ZA). Assuming approval of both, the FLUM designation would be Traditional Commercial, and the zoning of the property TC-1 (Traditional Commercial-1).

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.



*Figure 1: The current condition of the subject property.*

**BACKGROUND:** The structure at 1201 Abercorn Street is a contributing building in the Victorian Historic District, constructed originally in 1887 with a footprint measuring approximately 0.22 acres. The subject parcel is covered 100% by the existing historic structure.

The church has a rich history dating back to the late 19th century, originally as Duffy Street Baptist Church, later becoming Second Baptist Church and then Asbury United Methodist Church. Despite its significance, the building faced challenges like water damage and accessibility issues, prompting the decision to sell it in 2024. Immediate repairs will focus on securing the exterior, followed by rehabilitation for commercial use, potentially as a local restaurant. The rehabilitation will adhere to historic preservation standards and involve site improvements such as parking additions and preservation of existing palm trees.

The building would primarily undergo interior changes in areas such as the cellar and the bell tower, with a reuse assessment to be conducted subsequently. The proposed restaurant would feature 150 seats inside the building and be operational from 5 pm to 10

pm, with the potential for daytime service on two days. There would be no outside entertainment. The issue of parking was acknowledged by the developer, and solutions were proposed, including the addition of seven 45-degree angle parking spaces and utilization of on-street parking.

The Petitioner intends to establish a restaurant with accessory alcohol sales in the existing structure on the parcel. Per the Zoning Ordinance, a restaurant is described as “An establishment that prepares and serves food and beverages to the public. This use may include table, counter, drive-thru, drive-in, take-away and delivery services either individually or some combination thereof. This term includes ice cream, yogurt, gelato and smoothie shops; bakeries; bagelries; doughnut shops; coffee shops; and similar establishments.”

The Ordinance further clarifies: “Restaurants deriving more than 50% of its annual gross food and beverage sales from the sale of alcoholic beverages shall be considered a bar, tavern, or nightclub, as applicable. This term does not include catering establishments.”

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 property is located in the Victorian Historic District with the future land use as Traditional Neighborhood, zoning as Traditional Neighborhood – 1, and character area as Urban Core. This area features a mix of single-family homes, mid-size multi-family buildings, and neighborhood commercial establishments. With walkable surroundings and a well-connected sidewalk network, Urban Core areas have larger lot sizes and lower building heights (typically 2-4 stories) compared to Urban Downtown areas. Opportunities for infill and redevelopment are prevalent, with a focus on maintaining walkable densities and community character. The existing development pattern aims to offer diverse housing options suitable for workers, students, small families, seniors, and others.
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 Neighborhood, which permits and includes “nonresidential uses that are compatible with the residential character of the neighborhoods.” However, the Special Use Permit supports Plan2040, Quality of Life, Historic Resources goals 4 and 5. The adaptive reuse of the existing church under the proposed TC-1 zoning will support climate resiliency efforts, as called for in Goal 4 “Identify and address climate resiliency strategies and incorporate them into a climate resiliency plan for unincorporated Chatham County and Savannah’s historic and cultural resources.” Goal 5 of “Broaden historic preservation efforts to highlight and include historically underrepresented stories, sites, and communities” will be advanced by the adaptive reuse of the church and highlight a significant African American story in the Victorian District. Furthermore, the recent rezoning and City support of the Kiah House and Museum on W 36th Street sets a precedence that the community supports a more intense use of a historically significant property in exchange for its preservation and public access.

- b) Whether specific use standards for the special use, if any, as provided in

Article 8.0, Use Standards, can be achieved;

**Staff Comment:** There are no specific use standards for the grant of the Special Use Permit with which the Petitioner must comply. However, there are separate criteria to obtain and maintain an alcohol license from the City of Savannah.

- 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 indicated that conversations had taken place between the chef, developer, and manager and the Victorian Historic Square Neighborhood Association. No comment was received from the Association at the time of writing of this report. No other evidence of community outreach was provided.
  - The City regulates operational hours for businesses selling alcohol from 7:00 a.m. until 3:00 a.m. The Petitioner intends to operate the business from 5:00 pm to 10:00 pm seven days a week, and also plans to extend business hours from daytime to nighttime on two or three days per week.
- d) Whether the subject property is adequate in shape and size to accommodate the Special Use;

**Staff Comment:** The interior space of the building is adequate for the purposes of preparing and serving alcohol, food, and beverages to the public. However, the existing contributing historic structure covers 100% of the subject parcel. The proposed use must occur within this structure.

- 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. Although, the subject parcel has an issue of lack of parking.

The use requires off-street parking and will have 45-degree angle parking spaces and some bike/moped spaces.

- 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. Instead the historic site will go through extensive repairs while maintaining the historic features.

### **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 currently developed for commercial purposes and the requested use is not substantially dissimilar to others in the immediate vicinity. If properly regulated, the proposed use is unlikely to have a negative impact on adjacent properties.

### **ALTERNATIVES:**

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

### **RECOMMENDATION:**

Planning Commission recommends **approval** of the requested Special Uses to permit ancillary alcohol sales and to permit use as an event venue with following condition:

- 1) The Special Use Permit shall be nontransferable.