



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"*

M E M O R A N D U M

**DATE:** April 25, 2017

**TO:** THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

**FROM:** METROPOLITAN PLANNING COMMISSION

**SUBJECT:** MPC RECOMMENDATION

**PETITION REFERENCED:**

**Map Amendment to the City of Savannah Zoning Ordinance**

**Re:** Amendment to rezone 1.92 acres located at 333 West Montgomery Cross Road from a P-R-M-12 (Planned-Multifamily Residential, 12 units per net acre) district to a B-N (Neighborhood Business) district

**Phillip R. McCorkle, Petitioner**

**Phillip R. McCorkle (McCorkle & Johnson, LLP), Agent**

**File No. 17-001825-ZA**

**MPC ACTION:**

**Approval** of the petitioner's request to rezone 333 West Montgomery Cross Road from a P-R-M-12 (Planned-Multifamily Residential, 12 units per net acre) district to a B-N (Neighborhood Business) district.

**MPC STAFF RECOMMENDATION:**

**Denial** of the petitioner's request to rezone 333 West Montgomery Cross Road from a P-R-M-12 (Planned, Multifamily Residential, 12 units per net acre) district to a B-N (Neighborhood Business) district.

**MEMBERS PRESENT:** 10 + Chairman

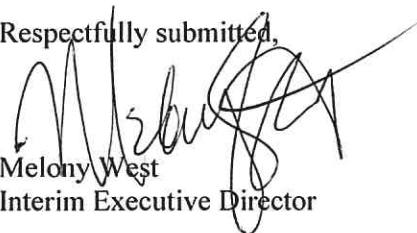
Tanya Milton, Chairman  
James Overton, Vice Chairman  
Joseph Welch, Secretary  
Shedrick Coleman  
Travis Coles  
Ellis Cook  
Joseph Ervin  
Karen Jarrett  
Timothy Mackey

Linder Suthers  
Tom Woiwode

**PLANNING COMMISSION VOTE:** Approval of the petitioner's request (7-4)

<b>APPROVAL</b> <b>Votes: 7</b>	<b>DENIAL</b> <b>Votes: 4</b>	<b>ABSENT</b>
Milton Welch Cook Coleman Coles Mackey Woiwode	Overton Suthers Ervin Jarrett	Hernandez Manigault Smith

Respectfully submitted,



Melony West  
Interim Executive Director

/jh

Enclosure

cc Dyanne C. Reese, Clerk of Council  
Brooks Stillwell, City Attorney  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Beth Barnes, Department of Inspections





## Chatham County - Savannah Metropolitan Planning Commission

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### April 25, 2017 Regular MPC Meeting

#### **Title**

D5 - ZONING MAP AMENDMENT | 333 West Montgomery Cross Road | Rezoning property from P-R-M-12 to B-N | Phillip R. McCorkle, Agent | File No. 17-001825-ZA

#### **Description**

To rezone 333 West Montgomery Cross Road from P-R-M-12 (Planned Multifamily Residential, 12 units per net acre) to B-N (Neighborhood Business) to allow a fast food or drive-thru restaurant (Use 49a).

#### **Recommendation**

**Denial** of the petitioner's request to rezone 1.92 acres of property located at 333 West Montgomery Cross Road from P-R-M-12 (Planned, Multifamily Residential, 12 units per net acre) to B-N (Neighborhood Business).

#### **Contact**

#### **Financial Impact**

#### **Review Comments**

#### **Attachments**

- 🔗 [1825 Sub. Plat.pdf](#)
- 🔗 [Annexation 1979.jpg](#)
- 🔗 [Maps 1825.pdf](#)
- 🔗 [West Montgomery XR.pdf](#)
- 🔗 [Site Photos 1825.pdf](#)
- 🔗 [Staff Report\\_17-001825-ZA.pdf](#)



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"*

M E M O R A N D U M

**TO:** The Mayor and Alderman of the City of Savannah

**FROM:** The Planning Commission

**DATE:** April 25, 2017

**SUBJECT:** Petition of Phillip R. McCorkle as agent for Deborah J. Kieffer  
333 West Montgomery Cross Road  
PIN(s): 2-0700-01-001  
Lot Size: 1.92 Acres  
Aldermanic District 5: Estella Shabazz  
County Commission District 5: Tabitha Odell  
File No. 17-001825-ZA

**ISSUE:** The rezoning of 333 West Montgomery Cross Road from a P-R-M-12 (Planned, Multifamily Residential, 12 units per net acre) zoning classification to a B-N (Neighborhood Business) zoning classification.

**BACKGROUND:** The subject 1.92 acre property is located south of West Montgomery Cross Road at the intersection of West Montgomery Cross Road and Savannah Square Drive. Savannah Square Drive terminates at the Savannah Square Senior Living complex. The petitioner wishes to rezone the property from a P-R-M-12 (Planned, Multifamily Residential, 12 units per net acre) zoning classification to a B-N (Neighborhood Business) zoning classification in order to allow Use 49a, Fast-food or drive-thru restaurants. The current zoning classification does not allow the proposed use.

### **FACTS AND FINDINGS:**

1. **Public Notice:** A notice of the proposed rezoning was sent to all owners within 300 feet of the subject site and signs were posted at the petitioned site.
2. **Existing Development Pattern:** The predominant land uses and zoning districts within the vicinity of the subject property contain a mix of institutional/civic and residential uses. Many of these existing uses include churches, apartment complexes, senior living centers, offices, and medical clinics. The land uses and zoning districts adjacent to the subject property include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Montgomery Cross Road, Hunter Army Airfield	N/A, R-6
East	Medical Office	PUD-IS-B-12
South	Undeveloped	PUD-M-12
West	Office, City Park	PUD-IS-B, PUD-M-16

3. **Transportation Network:** The property is accessed by West Montgomery Cross Road which is considered a four lane Secondary Arterial roadway per the City of Savannah Street Classification Map (Sec. 8-3048). The property lies approximately half a mile from the Abercorn/Montgomery Cross Road intersection.

Chatham Area Transit (bus) service is available on West Montgomery Cross Road via Route 6 (Crosstown Route).

4. **Public Services and Facilities:** The property is served by the Metropolitan Police Department, City fire protection and City water and sewer services.
5. **Land Use Element:** The Comprehensive Plan Future Land Use Map designates the subject property as Residential-General. The Residential-General designation supports single-family detached, single-family attached, and multifamily residential uses. The proposed B-N zoning district, along with the proposed use, Fast-food or drive-thru restaurants, is not consistent with this land use category and should be changed to Commercial-Suburban to be consistent with the Comprehensive Plan.
6. **Existing P-R-M-12 Zoning District:**

***Intent of the P-R-M-12 District:*** The P-R-M-12 zoning district, "...provide[s] areas for multifamily development and compatible nonresidential development".

- a. ***Allowed Uses:*** The uses allowed within the P-R-M-12 district are attached to this report and appear in the Conservation "C" and Residential "R" Use Schedule found in Section 8-3025(a) of the Savannah Zoning Ordinance. Some of the allowed uses for the R-M district include single and multifamily residential dwellings, group care homes, and churches or other places of worship.
- b. ***Development Standards:*** The development standards for the P-R-M-12 district are attached to this report in Table 1 and appear in Section 8-3025(d).
7. **Proposed B-N Zoning District:**

***Intent of the B-N District:*** The B-N District is intended to provide convenient shopping facilities consisting of convenience goods and personal services in neighborhood market areas of from 3,000 to 5,000 people.

- a. ***Allowed Uses:*** The uses allowed within the B-N district are attached to this report and appear in the Business “B” and Industrial “I” Use Schedule found in Section 8-3025(b) of the Savannah Zoning Ordinance. Some of the allowed uses for the B-N district include food and drugstores, package stores, restaurants, and self-storage miniwarehouses.
- b. ***Development Standards:*** The development standards for the B-N district are attached to this report in Table 1 and appear in Section 8-3025(d).

### **SUMMARY OF FINDINGS**

1. *Will the proposed zoning district permit uses that would create traffic volumes, noise level, odor, airborne particulate matter, visual blight, reduce light or increased density of development that would adversely impact the livability or quality of life in the surrounding neighborhood?*

Yes   X   No     

Some concerns are about odor and traffic associated with fast-food restaurants that could potentially be a nuisance for surrounding properties. Fast-food restaurants, and other commercial uses permitted under the proposed B-N district, typically generate higher traffic than a medical office or multifamily apartment complex, similar to those in proximity of the site. However, this was not a concern for the Planning Commission.

2. *Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?*

Yes   X   No     

Some concerns are that if the subject property were to be rezoned to a more commercial district, this could impact the desirability of other vacant properties surrounding the site of becoming anything other than a commercial use as well. This was not a concern for the Planning Commission.

3. *Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?*

Yes   X   No

Given that West Montgomery Cross Road contains mostly residential and civic/institutional uses, a commercial zoning district could generate traffic that is different from what currently exists.

4. *Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?*

Yes \_\_\_ No X

5. *Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?*

Yes \_\_\_ No X

6. *Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?*

Yes X No \_\_\_

Given that West Montgomery Cross Road contains mostly residential and civic/institutional uses, a commercial zoning district could generate traffic that is different from what currently exists. Therefore, this could impact the long-term stability of West Montgomery Cross Road as a predominantly residential and institutional roadway corridor.

7. *Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?*

Yes X No \_\_\_

#### **POLICY ANALYSIS:**

The former use of the subject property was a single-family residence. The site is surrounded by civic/institutional uses, multifamily uses, office uses, and vacant property. The proposed commercial use (a fast food or drive-thru restaurant) would introduce an intensive commercial land use along this

portion of the West Montgomery Cross Road corridor.

Allowing the requested B-N zoning classification could encourage intensive forms of commercial development and uses to locate close to residential uses. By introducing a more intensive land use within the area, this could impact the long-term stability of Montgomery Cross Road as a predominantly residential and institutional corridor. The Planning Commission believes that this type of use would not be detrimental to surrounding properties or to the stability of West Montgomery Cross Road.

The requested commercial zoning district would not be consistent to the existing Residential-General land use classification. To keep consistent with the Comprehensive Plan, the Planning Commission recommends approval of a land use change for 333 West Montgomery Cross Road from Residential-General to Commercial-Suburban as predicated by this rezoning request.

**ALTERNATIVES:**

1. Approve the petitioner's request to rezone 333 West Montgomery Cross Road from a P-R-M-12 (Planned multifamily residential – 12 units per net acre) district to a B-N (Neighborhood business) district.
2. Recommend an alternative zoning classification.
3. Deny the petitioner's rezoning request.

**RECOMMENDATION:** **Approval** of the request to rezone 333 West Montgomery Cross Road from a P-R-M-12 (Planned multifamily residential, 12 units per net acre) zoning classification to a B-N (Neighborhood Business) zoning classification.



<b>Table 1: Comparison of Development Standards for the Existing R-M Districts and Proposed B-N Districts</b>		
	<b>R-M District</b>	<b>B-N District</b>
<b>Minimum Lot Area</b>	Residential 1. Single-family – 6,000 2. Two-family – 3,600 3. Three-family – 2,400 4. Four-family – 1,800 5. Multifamily – 1,300 a. Semidetached or end-row - 600 b. Row - 600 Non-Residential – 6,000	N/A
<b>Minimum Lot Width</b>	Residential 1. Single-family – 60 2. Two-family – 60 3. Three-family – 60 4. Four-family – 60 5. Multifamily – 60 a. Semidetached or end-row - 18 b. Row - 18 Non-Residential – 60	N/A
<b>Front Yard Setback</b>	85 ft. from the centerline of a major arterial	50 ft. from the centerline of a major arterial
<b>Minimum Side Yard Setback</b>	Residential 1. Single-family – 5 2. Two-family – 5 3. Three-family – 10 4. Four-family – 10 5. Multifamily – 10 Non-Residential – 10	No side yard required except when abutting an R district, then 10 ft.
<b>Minimum Rear Yard Setback</b>	Residential 1. Single-family – 25 2. Two-family – 25 3. Three-family – 25 4. Four-family – 25 5. Multifamily – 25 Non-Residential – 25	No rear yard required except when abutting is an R district, then rear yard shall be the same as for R district.
<b>Maximum Height</b>	40 ft.	35 ft.
<b>Maximum Building Coverage</b>	Residential – N/A Non-Residential - 40	N/A
<b>Maximum Density</b>	Residential - 12 units per net acre Non-Residential – N/A	N/A

## EXISTING ZONE

### P (Planned district)

#### Description

The purpose of the Planned District is to promote an environment of stable and desirable character in harmony with the established or proposed land use pattern in surrounding areas.

### R-M-12 (Multi-family Residential, 12 units per net acre)

#### Description

The purpose of this district shall be to provide areas for multifamily development and compatible nonresidential development. The net dwelling density for this zone shall be established at the time of rezoning. The density to be established shall be recommended by the metropolitan planning commission, but shall be not more than 40 units per acre. In establishing a density standard for an R-M district, the metropolitan commission shall consider the following conditions, among others:

- (a) The traffic that will be generated by the proposed development in comparison to the uses permitted under the existing zoning classification.
- (b) The capacity of water and sewer systems to accommodate the proposed development.
- (c) The compatibility of the development with the surrounding land uses.

#### Use Table:

List of Permitted Uses in the Multi-Family Residential (R-M-12) Zoning District	
X = Allowed By-right B = Allowed with Zoning Board of Appeals Approval B-1 = When 3+ acres, requires Planning Commission review	
<b>Land Use</b>	
<b>Residential Types:</b>	
(1) One-family dwelling:	
a. Detached	X
b. Semidetached or end-row	X
c. Attached or row	X
(2) Two-family dwelling:	
a. Detached	X
b. Semidetached or end-row	X
c. Attached or row	X
(2b) Three- and four-family dwellings:	X
(3) Multifamily dwellings	X
(6) Accessory dwelling structure	X
<b>Lodging Facilities:</b>	
(9) Rooming houses and boarding houses	X
<b>Religious Facilities:</b>	

(15) Church and other places of worship	X
(15a) Temporary use	
(16) Convent or monastery	B1
<b>Health and Welfare:</b>	
(17) Hospitals and care home	B1
(17a) Sanitarium or mental care home	B1
(18) Eleemosynary or philanthropic institutions	B1
(18b) Group personal care home for the mentally ill (seven to 15 persons)	X
(18e) Group care home for the abused or mistreated (seven to 15 persons)	X
(18f) Group care home for the elderly (seven to 15 persons)	X
(18g) Congregate personal care home for the elderly (16 or more persons)	X
(18h) Group care home for the mentally retarded (seven to 15 persons)	X
(18k) Transitional shelters for homeless persons	X
(18m) Adult day care center	B
(18n) Family adult day care center	X
(18o) Single room occupancy residences	X
(18p) Family personal care home for the handicapped (six or fewer persons)	X
(18q) Family personal care home for the elderly (six or fewer persons)	X
(18r) Senior Citizen Congregate Housing	X
<b>Education:</b>	
(20) School, public or private (K-12)	B
(22a) Day nurseries and kindergartens	B
(22b) Child care center	B
<b>Community Facilities:</b>	
(23) Public use	X
(24) Reserved	
(27) Public utilities	X
<b>Recreation and Social:</b>	
(29) Assembly Hall	
(30) Golf course	X
(32a) Private or residential community boat dock or pier	X
<b>Retail Sales and Services:</b>	
(48) Administrative office for city-sponsored neighborhood housing service district	X
(52) Home occupation	X
(53) Accessory use	X

(53a) Satellite dish	X
<b>Sign:</b>	
(54) Sign, incidental	X
(56a) Sign, bus stop benches	X

**PROPOSED ZONE**  
**B-N (Neighborhood business)**

**Description**

The purpose of this district shall be to provide convenient shopping facilities consisting of convenience goods and personal services in neighborhood market areas of from 3,000 to 5,000 people.

**Use Table:**

<b>List of Permitted Uses in the Neighborhood business (B-N) Zoning District</b>	
X = Allowed By-right B = Allowed with Zoning Board of Appeals Approval B-1 = When 3+ acres, requires Planning Commission review	
<b>Land Use</b>	
<b>Community Facilities:</b>	
(14) Eleemosynary or philanthropic institution	X
(15) Public uses	X
(15a) Heliport, helistop	B
(15b) School, public or private (K-12)	X
(16) Public utility	X
(18) Telephone exchange	X
(19) Cultural facilities	X
(20) Club or lodge	X
(20a) Assembly halls	X
(20b) Day nurseries and kindergartens	X
(20c) Child care center	X
(20d) Adult day care center	X
(20e) Child sitting center	X
<b>Agriculture, Forestry, Mining:</b>	
(22a) Agriculture personal	X
(23) Greenhouse and plant nursery	X
<b>Animal Care:</b>	
(25) Animal hospital, veterinary clinic, animal boarding place or animal grooming salon	X
(25a) Animal grooming establishment	X
<b>Recreation:</b>	
(29a) Electronic, video or mechanical amusement game arcade (excluding movies, film or photographic machines)	X
<b>Retail Sales and Services:</b>	
(32) Food stores and drugstores	X
(32a) Sale of beer and wine by the package when incidental to	X

other principal retail use.	
(32c) Plant and produce shops	X
(33) Personal service shops	X
(34) Clothing stores and dry goods	X
(35) Home furnishing and hardware	X
(35a) Furniture repair, including furniture refinishing, refurbishing and upholstery shops	X
(36a) Specialty shops	X
(36b) Craft shops	X
(37) Banks and offices	X
(37a) Mixed use, nonresidential	X
(38) Janitorial services contractor	X
<b>Unclassified Retail Sales and Services:</b>	
(40) Photography studio	X
(41) Funeral homes and crematory	X
(42) Ambulance service or rescue squad	X
(43a) Radio or television broadcasting studio	X
(43c) Commercial wireless telecommunications facilities	B
(44) Telegraph or messenger service	X
(45) Taxi stand	X
(45a) Taxicab company	X
(46) Freezer locker service, ice storage	X
(46d) Post secondary schools	X
(47) Vocational and technical schools	X
(47b) Fortune telling	X
(47c) Teaching of music, voice, and dance, and studios for the same	X
(47d) Temporary day labor employment center	B
(47e) Personal service schools	X
<b>Restaurants:</b>	
(48) Restaurant, sit-down or cafeteria, which serves alcoholic beverages	X
(48b) Cocktail lounges, taverns	B
(48c) Package store	B
(48d) Nightclubs	B
(49) Drive-in restaurant	X
(49a) Fast-food or drive-thru restaurants	X
(49b) Catering services	X
<b>Automobile and Boat Sales and Services:</b>	
(50) Fuel station	X
(50a) Indoor car wash	X
(51) Vehicle service, minor	X

(52b) Bicycle and moped sales and service	X
(54) Retail automobile parts and tire store	X
(55) Automobile parking lot or parking garage.	X
<b>Laboratory:</b>	
(57) Laboratory serving professional requirements, dentists, medical, etc.	X
<b>Equipment Sales, Grain Sales, Repair:</b>	
(61a) Small electric motor repair	X
(62) Locksmith, gunsmith and similar activities	B
<b>Building Materials:</b>	
(63a) Prefabricated structures sales lot	X
(63b) Pest control	X
<b>Printing:</b>	
(70) Printing or letter shop	X
<b>Transportation, Storage, Wholesaling:</b>	
(75b) Self-storage miniwarehouse	B
<b>Light Manufacturing:</b>	
(83) Light manufacturing:	
n. Dry cleaning plants and laundry plants	X
<b>Signs:</b>	
(86) Principal use sign	X
(87) Separate use sign	X
<b>Incidental Uses:</b>	
(88) Incidental use sign	X
(88a) Bus stop bench signs	X
(90) Accessory uses	X
(90a) Satellite dish	X