



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:**           OCTOBER 9, 2018  
**TO:**             THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH  
**FROM:**         METROPOLITAN PLANNING COMMISSION  
**SUBJECT:**      MPC RECOMMENDATION

**PETITION REFERENCED:**

**Petition to Rezone Property**  
**Duke Dang, Petitioner**  
**Gul Mirchandani, Owner**  
**7035 Hodgson Memorial Drive**  
**Aldermanic District: 4 – Julian Miller**  
**County Commission District: 1 – Helen L. Stone**  
**Property Identification Number: 2-0490-04-006**  
**File No. 18-005127-ZA**

**MPC ACTION:**

**Deny** the request to rezone the subject parcel located at 7035 Hodgson Memorial Drive (PIN 2-0490-04-006) from the P-I-P zoning classification to the B-C zoning classification.

**MPC STAFF RECOMMENDATION:**

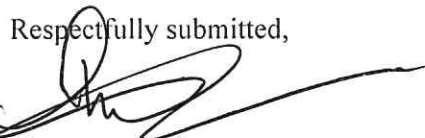
**Deny** the request to rezone the subject parcel located at 7035 Hodgson Memorial Drive (PIN 2-0490-04-006) from the P-I-P zoning classification to the B-C zoning classification.

**MEMBERS PRESENT:** 11 + Chairman

- |                        |                |
|------------------------|----------------|
| Joseph Ervin, Chairman | Lee Smith      |
| Thomas Branch          | Linder Suthers |
| Travis Coles           | Tom Woiwode    |
| Ellis Cook             |                |
| Roberto Hernandez      |                |
| Karen Jarrett          |                |
| Lacy Manigault         |                |
| Tanya Milton           |                |
| Eula Parker            |                |

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (10-2)

<b>APPROVAL Votes: 10</b>	<b>DENIAL Votes: 2</b>	<b>ABSENT</b>
Branch Cook Coles Hernandez Jarrett Manigault Milton Parker Suthers Woiwode	Ervin Smith	Noha Welch

Respectfully submitted,  
  
Melanie Wilson  
Executive Director

/jh

Enclosure

- cc Luciana Spracher, Interim 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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### October 9, 2018 Regular MPC Meeting

#### **Title**

REZONING MAP AMENDMENT- 7035 Hodgson Memorial- P-I-P (Planned Institutional-Professional) to B-C (Community Business) 18-005127-ZA

#### **Description**

A request to rezone a single parcel at 7035 Hodgson Memorial Drive located approximately 200 feet north of Eisenhower Drive from P-I-P (planned institutional-professional) to B-C (community business).

#### **Recommendation**

Staff recommends the **denial** of the request to rezone the subject parcel located at 7035 Hodgson Memorial Drive (PIN 2-0490-04-006) from the P-I-P zoning classification to the B-C zoning classification.

#### **Contact**

#### **Financial Impact**

#### **Review Comments**

#### **Attachments**

- 📎 [Label Map 5127-ZA.pdf](#)
- 📎 [Zoning Map 5127-ZA.pdf](#)
- 📎 [Tax Map 5127-ZA.pdf](#)
- 📎 [Aerial Map 5127-ZA.pdf](#)
- 📎 [FLU Map 5127-ZA.pdf](#)
- 📎 [Staff Report- 18-005127-ZA-MAP - 7035 Hodgson Memorial Drive \\_final1.pdf](#)
- 📎 [letter\\_of\\_opposition.jpg](#)
- 📎 [Maps\\_combined 5127-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**

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M E M O R A N D U M

**TO:** The Mayor and Aldermen

**FROM:** The Metropolitan Planning Commission

**DATE:** October 9, 2018

**SUBJECT:** Petition to Rezone Property  
Duke Dang, Petitioner  
Gul Mirchandani, Owner  
7035 Hodgson Memorial Drive  
Aldermanic District: 4 – Julian Miller  
County Commission District: 1 – Helen L. Stone  
Property Identification Number: 2-0490-04-006  
File No. 18-005127-ZA

**REPORT STATUS:** Initial Report

**ISSUE:**

A request to rezone a single parcel at 7035 Hodgson Memorial Drive located approximately 200 feet north of Eisenhower Drive from P-I-P (planned institutional-professional) to B-C (community business)

**FACTS AND FINDINGS:**

1. **Public Notice:** As required by the City of Savannah Zoning Ordinance, all property owners within 300 feet of the subject property were sent notices of the proposed rezoning. Public notice was also posted in various locations around the site.
2. **Site:** The site contains a single parcel with an area of 0.245 acres (10,700 square feet) and 72.5 feet of frontage on Hodgson Memorial Drive. The site is approximately 130 feet deep and has no lane access.
3. **Background:** The owner would like to lease space for a tattoo studio in one of four commercial units on his property, but is prevented from doing so in the current P-I-P zoning district.
4. **Existing Zoning and Development Pattern:** The land uses and zoning districts surrounding the subject site include:

<u>Location</u>	<u>Land Use</u>	<u>Zoning</u>
North	Office (Insurance)	P-I-P
South	Retail (Tobacco Shop)	P-B-N
East	Strip Mall	RIP-B-1
West	Office Park	P-I-P

5. **Existing P-I-P Zoning District:**

a. **Intent of the P-I-P District:** According to the city ordinance, “the purpose of this [I-P] district shall be to create an area in which residential, institutional and professional uses can be intermixed and at the same time achieve a healthful living environment with functional open space.” The leading “P” simply indicates that the property sits on an arterial road in a planned district, where a master plan is required for any proposed development that involves more than one lot, land use, or residential density. All development in this district requires approval of both a general development plan and a specific development plan.

b. **Allowed Uses:** See table 3, attached.

c. **Development Standards:** See table 1 at the bottom of this report.

4. **Proposed B-C Zoning District:**

a. **Intent of the B-C District:** “The purpose of this district shall be to provide community shopping facilities consisting of a wide variety of sales and service facilities at locations that will be accessible to a market area containing from 35,000 to 70,000 people.” The B-C district is a common commercial classification that is found throughout the city, including around Oglethorpe Mall and much of the Abercorn Street corridor south of Derenne Avenue.

b. **Proposed Uses:** See table 2, attached.

c. **Proposed Development Standards:** See table 1 at the bottom of this report.

5. **Future Land Use Map:** The Chatham County – Savannah Tricentennial Comprehensive Plan Future Land Use Map (FLUM) designates the subject property as “*commercial-suburban*,” which is defined as “*Business areas supporting shopping centers and corridor commercial uses at a scale and intensity*”

*capable of serving regional markets.* ” The proposed B-C zoning *is* compatible with the intent of the FLUM designation.

6. **Public Services and Facilities:** The property is served by the Savannah Police Department, City of Savannah fire protection and by City of Savannah water and sanitary sewer.
7. **Transportation Network:** The property has frontage along Hodgson Memorial Drive. GDOT classifies this road as a minor arterial with annual average daily traffic (AADT) of approximately 5880 vehicles. Chatham Area Transit route 6 passes directly in front of the property and has a stop at the intersection with Eisenhower Drive approximately 200 feet to the south.

#### 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

There is a possibility that uses permitted within the B-C district such as fuel stations and car washes could change the character of the neighborhood and adversely impact its quality of life. In addition, the rezoning of this parcel could precipitate the rezoning of nearby areas, thereby causing larger changes to the area.

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

See the comment above. Most of the current nearby development in the P-I-P district is low-intensity office use, which could become less desirable if more intense uses permitted under B-C are permitted.

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   No  X

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

The property in question is small and the uses permitted by the proposed zoning are unlikely to generate significantly more traffic than those permitted in the existing zoning. The surrounding network of arterial roads have excess capacity and the impact of any additional traffic is likely to be negligible. However, the current off-street parking available on-site may be insufficient to meet the demands of future uses permitted in the proposed zoning district.

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 \_\_\_

See comments above. There is a possibility that uses permitted under B-C could discourage additional office or residential uses permitted and encouraged by the existing zoning.

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

Yes \_\_\_ No X

**ALTERNATIVES:**

1. Approve the petitioner's request as presented.
2. Deny the petitioner's request.

3. Deny the petitioner's request and approve an alternative classification.

### **POLICY ANALYSIS:**

The Hodgson Memorial corridor near Eisenhower is characterized by office and commercial uses operating within a suburban framework. The intent of the existing P-I-P district is to facilitate a harmonious intermingling of "residential, institutional and professional uses" and achieve a "healthful living environment." While the proposed B-C zoning is similar to the existing district, it does allow a range of more intense and/or disruptive uses that could negatively impact nearby areas. Fuel stations, car washes, auto service stations, nightclubs, package stores, drive-through restaurants, and radio towers, among other uses, would all be newly permissible. A rezoning must take into consideration the entire scope of potential new uses it will permit and their potential consequences for neighbors. Each of the uses listed above has no precedent in the surrounding area, which is primarily offices, and could be disruptive.

While the parcel in question is relatively small and adjoins more intense uses fronting Eisenhower Drive, rezoning it to B-C could provide justification for future rezoning of adjoining parcels to the north in what would remain of the P-I-P district. These properties primarily host office and other quiet, low-traffic uses. If the subject property is re-zoned, there will be little rationale to oppose other re-zonings on similar nearby properties that could dramatically shift the character of the area.

Since both the current and proposed zoning designations are consistent with the comprehensive plan, there is no urgent need to rezone the site to accommodate any anticipated change in future land use. The plan does not see the area becoming significantly more intense in the foreseeable future and the existing P-I-P zoning already permits both greater lot coverage and density than what is currently on many of the sites in the district today.

The petitioner desires to open a tattoo studio, which while not permitted in the subject property is permitted in much of the surrounding area, which is already zoned B-C. Areas across Eisenhower Drive to the south are all designated B-C, including variants P-B-C and PUD-B-C. The district immediately to the west is also P-B-C. If the general location is ideal for such a use, one could reasonably ask why locating 500 feet south or west is not acceptable. Given the presence of suitable zoning nearby the ordinance as written should not be considered an undue hardship.

### **RECOMMENDATION:**

The MPC recommends the **denial** of the request to rezone the subject parcel located at 7035 Hodgson Memorial Drive (PIN 2-0490-04-006) from the P-I-P zoning classification to the B-C zoning classification.



**P-I-P and B-C**

	<b>P-I-P (Existing)</b>	<b>B-C (Proposed)</b>
<b>Min. Lot Area</b>	6,000 sq. ft. (nonresidential)	N/A
<b>Min. Lot Width</b>	60 ft.	N/A
<b>Front Yard Setback</b>	70 ft. (secondary arterial)	40 ft. (secondary arterial)
<b>Min. Side Yard Setback</b>	5 ft.	10 ft. (when adj. to R district)
<b>Min. Rear Yard Setback</b>	5 ft.	25 ft. (when adj. to R district)
<b>Max. Height</b>	50 ft.	35 ft.
<b>Max. Bldg. Coverage</b>	50%	N/A
<b>Max. Density</b>	N/A	N/A

**Table 2: Existing Allowed Uses in the B-C District**

*X = Permitted-by-Right*

*B = Special Use subject to ZBA Approval.*

<i>Use</i>	<i>B-C</i>
<b>Lodging Facilities:</b>	
(7) Hotel or apartment hotel	X
(7a) College dormitory	X
(8) Apartment building used by a college (mixed use)	X
(9) Motel	X
(9b) Inn	X
(9d) Short-term vacation rental	X
(10j) Emergency shelters for homeless persons	X
(10k) Transitional shelters for homeless persons.	X
(10l) Food service centers for homeless persons	X
(10m) Single-room occupancy residences	X
<b>Religious Facilities:</b>	
(10o) Hostel	X
(10p) Personal care home for the handicapped and/or elderly (six or fewer persons)	X
(11) Church or other place of worship	X
(13) Temporary Uses	
b. Carnival, community fair, athletic event or other event of public interest.	B
c. The use of public parks for carnivals, rodeos, horse shows, shooting or athletic events, community fair, or other events of public interest.	X
e. Temporary off-site promotional sales and public interest events, such as boat shows, auto and home furnishing, promotional sales, etc.	X
f. The sale of seasonal plants and/or produce	X
g. Consumer fireworks retail sales stand	X
<b>Community Facilities:</b>	
(14) Eleemosynary or philanthropic institution	X
(15) Public uses	X
(15a) Heliport, helistop	B
(16) Public utility	X
(18) Telephone exchange	X

(19) Cultural facilities	X
(20) Club or lodge	B
(20a) Assembly halls	X
(20b) Day nurseries and kindergartens	X
(20c) Child care center	X
(20e) Child sitting center	X
<b>Agriculture, Forestry, Mining:</b>	
(22a) Agriculture personal	X
(23) Greenhouse and plant nursery	X
(23a) Tree cutting/ pruning contractor	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>	
(27) Miniature golf course	X
(28) Golf or baseball driving range	X
(29) Amusement or recreational activities carried on wholly within a building, including theater, billiard parlor, dance hall, and activities of a similar nature.	X
(29a) Electronic, video or mechanical amusement game arcade (excluding movies, film or photographic machines)	X
(30) Indoor shooting range	B
<b>Retail Sale and Services:</b>	
(32) Food stores and drugstores	X
(32a) Sale of beer and wine by the package when incidental to other principal retail use.	X
(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
(36d) Tattoo studio	X
(37) Banks and offices	X
(37a) Mixed use, nonresidential	X
(37b) Mixed use, residential	X
(38) Janitorial services contractor	X
(39) Department stores	X
(39d) Sale and display of monuments and stones	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
(43) Radio and television towers (including radio and television tower farms)	X
(43c) Commercial wireless telecommunications facilities (monopole) as permitted by section 8-3191 et seq. Development Standards for Telecommunications Towers and Antennas.	X
(44) Telegraph or messenger service	X
(45) Taxi stand	X
(45a) Taxicab company	X
(45c) Tour vehicle service and storage facility	X

(46) Freezer locker service, ice storage	X
(46a) Ice Vending Unit	X
(46d) Post secondary schools	X
(47) Vocational and technical schools	X
(47b) Fortune telling	X
(47c) Teaching of music, voice, and dance	X
(47d) Temporary day labor employment center	X
(47e) Personal service schools	
(47f) Consumer fireworks retail sales facility	B
<b>Restaurants:</b>	
(48) Restaurant, sit-down or cafeteria, which serves alcoholic beverages Provided, that alcoholic beverages shall only be sold as part of a meal.	X
(48a) Restaurant, sit-down or cafeteria, which does not serve alcoholic beverages.	X
(48b) Cocktail lounges, and taverns	X
(48c) Package store	X
(48d) Nightclubs	X
(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
(51a) Vehicle service, major	X
(52) Automobile, truck, or boat and nonresidential trailer sales or rentals	X
(52a) Motorcycle, motor scooter sales and services	X
(52b) Bicycle and moped sales and service	X
(53) Automobile upholstery shop	X
(54) Retail automobile parts and tire store	X
(55) Automobile parking lot or parking garage	X
(55b) Automobile storage garage	X
(55c) Wrecker services with dead storage yards	X
<b>Laboratory:</b>	
(57) Laboratory serving professional requirements, dentists, medical, etc.	X
(58a) Design shop and testing of new products (as a secondary use)	X
<b>Equipment Sales, Grain Sales, Repair:</b>	
(61a) Small electric motor repair	X
(62) Locksmith, gunsmith and similar activities	X
<b>Building Materials:</b>	
(63a) Prefabricated structures sales lot	X
(63b) Pest control	X
(68) Building contractor and related construction contractors	X
<b>Printing:</b>	
(69) Newspaper	X
(70) Printing or letter shop	X
<b>Transportation, Storage, Wholesaling:</b>	
(73a) Fur storage vaults	X
(75b) Self-storage miniwarehouse	X

(75c) Remote dry storage warehouse	X
(75d) Wholesaling and accessory warehousing	X
(82a) Accessory storage buildings	X
(82d) Buy-back center for recyclable aluminum, glass, paper and plastics	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

**Table 3: Existing Allowed Uses in the I-P District**

*X = Permitted-by-Right*

*B = Special Use subject to ZBA Approval.*

<b>Residential Types</b>	<b>I-P</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
(10) Fraternity and sorority houses	X
(11) Hotel, motel, motor lodge	X
(12) Bed and breakfast homestay	X
(14) Inn	X
(14a) Short-term vacation rental	X
<b>Religious Facilities:</b>	
(15) Church and other places of worship	X
a. Temporary outdoor religious services.	X
d. Temporary off-site promotional and public interest events.	X
(16) Convent or monastery	X
<b>Health and Welfare:</b>	
(17) Hospitals and care home	X
(18) Eleemosynary or philanthropic institutions	X
(18a) Nonprofit sheltered work center	X

(18b) Group personal care home for the mentally ill (seven to 15	X
(18c) Congregate personal care home for the mentally ill (16 or more	X
(18d) Homes for chemically dependent persons	X
(18e) Group care home for the abused or mistreated (seven to 15	X
(18f) Group care home for the elderly (seven to 15 persons)	X
(18g) Congregate personal care home for the elderly (16 or more	X
(18h) Group care home for the mentally retarded (seven to 15	X
(18i) Congregate care home for the mentally retarded (over 15	X
(18j) Emergency shelters for homeless persons	X
(18k) Transitional shelters for homeless persons	X
(18l) Food service centers for homeless persons	X
(18m) Adult day care center	X
(18n) Family adult day care center	X
(18o) Single room occupancy residences	X
(18p) Family personal care home for the handicapped (six or fewer	X
(18q) Family personal care home for the elderly (six or fewer	X
(18r) Senior Citizen Congregate Housing	X
(19) Children's home	B
(19a) Ambulance service or rescue squad	B
<b>Education:</b>	
(20) School, public or private (K-12)	X
(21) Colleges and universities	X
(22a) Day nurseries and kindergartens	X
(22b) Child care center	X
<b>Community Facilities:</b>	
(23) Public use	X
(25) Sewage treatment facility	X
(27) Public utilities	X
<b>Recreation and Social:</b>	
(30) Golf course	X
(34) Club or lodge	B1
(38) Agriculture personal	X
<b>Retail Sales and Services:</b>	
(46) Automobile parking lot or parking garage	X
(46a) Accessory storage or parking lot as a principal use	X
(46b) Accessory auto sales lot incidental to a franchised new	X
(47) Banks and offices, office buildings, loan agencies, professional	X
(47b) Laboratories serving professional requirements, medical,	X
(48) Administrative office for city-sponsored neighborhood	X
(48a) Mixed use, nonresidential	X
(48b) Mixed use, residential	X
(48c) Bicycle shop	X
(49) Radio or television studio	X
(50) Funeral homes and crematory	B
(51a) Interior decorating business	X
(52) Home occupation	X
(53) Accessory use	X
(53a) Satellite dish	X

<b>Sign:</b>	
(54) Sign, incidental	X
(55) Sign, principal use	X
(56a) Sign, bus stop benches	X
<b>Retail Sales and Services:</b>	
(57) Pharmacy	X
(59) Book and stationery stores, including office supplies and	X
(60) Cultural facilities, art galleries, museums, legitimate theaters,	X
(60a) Teaching of music, voice, and dance	X
(60c) Artist studio and/or gallery	X
(61) Antique shops	X
(62) Photography studio	X
(63) Personal service shops	X
(63a) Laundry pickup services	X
(64a) Specialty shops	X
(64b) Tailor shop	X
(64c) Specialty craft shops	X
(64d) Communication equipment, rental service	X
(64e) Limited use retail shops	X
(65) Restaurants, sit-down, including the serving of malt beer or wine	X
(65c) Restaurants, sit-down or cafeteria, which does not serve	X
(67) Grocery, confectionery, bakery, pastry shop and similar	X
(68) Laundromats	X
(69) Catering services	X