



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: OCTOBER 8, 2019
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC RECOMMENDATION

PETITION REFERENCED:

Petition to Rezone Property

Amira Brown, Petitioner

Hugh & Grazyna Pytowski, Michael & Patricia Wakely, Debra Cannon,

Jeffrey Zadach, E.D. DeLoach & F.C. Pettigrew, George A. Merritt, Owners

104, 106, 108, 110, 112 & 114 East DeRenne Avenue

Aldermanic District: 4, Julian Miller

County Commission District: 1, Helen Stone

Property Identification Number: 20128 04018; -04017; -04016; -04015; -

04014; -04013

File No. 19-002401-ZA

MPC ACTION:

Approval of the request to rezone the subject property from the RSF-6 district to the OI district.

MPC STAFF RECOMMENDATION:

Approval of the request to rezone the subject property from the RSF-6 district to the OI district.

MRV

MC

MEMBERS PRESENT: 11 + Chairman

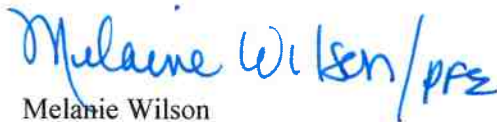
Joseph Ervin, Chairman
Thomas Branch
Travis Coles
Ellis Cook
Karen Jarrett
Tanya Milton
Wayne Noha
Eula Parker
Lee Smith

Linder Suthers
Joseph Welch
Tom Woiwode

PLANNING COMMISSION VOTE: Approve Staff Recommendation (12-0)

APPROVAL Votes: 12	DENIAL Votes: 0	ABSENT
Ervin Branch Cook Coles Jarrett Milton Noha Parker Smith Suthers Woiwode Welch		Manigault Monahan

Respectfully submitted,



Melanie Wilson
Executive Director

/jh

Enclosure

cc Mark Massey, Clerk of Council
Lester B. Johnson, Assistant City Attorney
Jennifer Herman, Assistant City Attorney
Beth Barnes, Department of Inspections



Chatham County - Savannah Metropolitan Planning Commission

October 8, 2019 REGULAR MPC MEETING

Title

ZONING MAP AMENDMENT | 104-114 East DeRenne Avenue | RSF-6 (One-family Residential) to O-I (Office and Institutional) | Amira Brown | 19-002401-ZA

Description

The petitioner, Amira Brown, is requesting the rezoning of six parcels on the north side of DeRenne Avenue between Abercorn Street and Habersham Street from the RSF-6 (One-family Residential) zoning classification to an O-I (Office and Institutional) classification.

Recommendation

Staff recommends approval of the request to rezone the subject property from the RSF-6 district to the OI district based on criteria of suitability and community need, compatibility, consistency and reasonable use.

Contact

Financial Impact

Review Comments

Attachments

- 📎 [Maps_combined_updated.pdf](#)
- 📎 [Pictometry.pdf](#)
- 📎 [Staff Report 2401 updated.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 Aldermen of the City of Savannah**

FROM: **The Planning Commission**

DATE: **October 8, 2019**

SUBJECT: **Petition to Rezone Property**
Amira Brown, Petitioner
Hugh & Grazyna Pytowski, Michael & Patricia Wakely, Debra Cannon, Jeffrey Zadach, E.D. DeLoach & F.C. Pettigrew, George A. Merritt, Owners
104, 106, 108, 110, 112 & 114 East DeRenne Avenue
Aldermanic District: 4, Julian Miller
County Commission District: 1, Helen Stone
Property Identification Number: 20128 04018; -04017; -04016; -04015; -04014; -04013
File No. 19-002401-ZA

REPORT STATUS: Council Report

Issue:

A request to rezone 6 contiguous parcels on the north side of DeRenne Avenue between Abercorn Street and Habersham Street from the RSF-6 (Residential Single-family) zoning classification to the OI (Office and Institutional) zoning classification.

Background:

The petitioner, Amira Brown, first applied to rezone a single parcel at 112 East DeRenne Avenue in March 2019 (file number 19-000969-ZA) from the R-6 to the B-N zoning classification under the former Ordinance. Her petition was denied by the Planning Commission on the grounds that rezoning a single residential parcel to a business designation would be tantamount to "spot zoning" and would not be a responsible change in land use. She was informed, however, that if a block of contiguous properties jointly applied for a change in land use that her request might be better received. Following this suggestion, Ms. Brown assembled the signatures from the owners at 104, 106, 108, 112 and 114 East DeRenne Avenue and submitted a different application for the April Planning Commission meeting, again requesting a change from the R-6 to the B-N classification.

While reviewing this application, staff discovered that the owner of 110 East DeRenne was not included and informed Ms. Brown that for favorable consideration the signatures of all owners from 104-114 East DeRenne would be required. Ms. Brown secured the signature of this property owner in July 2019 and asked that the amended application be heard on the August 27th, 2019 meeting.

After meeting with staff, Ms. Brown again revised her application to request the lesser OI (Office and Institutional) classification—this time under NewZO—which staff felt would be more compatible with adjacent residential land uses. Notices were reissued and the request was postponed to the October 8, 2019 meeting.

Properties:

The subject properties consist of 6 contiguous parcels, comprising approximately 1.43 acres. All are located within the RSF-6 zoning district. Altogether, these properties comprise approximately 520 linear feet of frontage along DeRenne Avenue with a depth of 160 feet. The property at the northeast corner of East DeRenne and Abercorn Street (5208 Abercorn Street) was not included in this request.

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 on September 23rd, 2019. Earlier public notices were sent on July 19th, 2019 and (excluding the property at 110 East DeRenne) on May 17th, 2019. Public notice was also posted in various locations around the site.
2. **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	Single-family residential	RSF-6
South	Single-family residential	RSF-10
East	Institutional (medical)	OI-E
West	Single-family residential /general commercial	RSF-6/B-C

3. **Existing RSF-6 Zoning District:**
 - a. **Intent of the RSF-6 District:** The intent and purpose of the RSF-6 district is to “establish [and] to preserve and create areas of single-family detached development...A limited number of nonresidential uses are allowed that are compatible with single-family residential uses.”

- b. **Allowed Uses:** The permitted uses for the RSF-6 district are attached in **Table 1**. These include detached single-family residential structures and a limited set of community-serving institutional uses such as churches and schools.
 - c. **Development Standards:** The development standards for the RSF-6 district are attached in **Table 2**.
4. **OI Zoning District:**
- a. **Intent of the OI District:** The Office and Institutional (“O-I”) district “is established to allow office uses as well as a limited number of other uses that are compatible with an office environment. The OI district is intended to be located in close proximity to Nonresidential districts and may be used as a transition between such areas and Residential districts.”
 - b. **Uses:** The permitted uses for the OI district are attached in **Table 1**. These include community facilities, child care centers, personal service shops, offices, and studios/galleries.
 - c. **Development Standards:** The development standards for the OI district are attached in **Table 3**.
5. **Land Use Element:** The Chatham County-Savannah Comprehensive Plan Future Land Use Map designates the subject property as “transition,” which is defined as “Areas having established residential character that due to their location adjacent to shallow frontage lots along arterial streets are confronted with potential commercial intrusion.” The proposed zoning district is consistent with 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 is served by DeRenne Avenue, a major arterial with annual average daily traffic (AADT) of between 43,000 and 45,000 vehicles. Chatham Area Transit (CAT) bus route 14 runs along Abercorn Street, with stops about 200 feet west of the subject property.

SUMMARY OF FINDINGS

a. Suitability and Community Need

- I. *Whether the range of uses permitted by the proposed zoning district is more suitable than the range of uses that is permitted by the current zoning district.*

The OI district permits a range of commercial uses that are suitable for lots fronting a major arterial road while still limiting uses that could have adverse effects on nearby

residences. The existing RSF-6 district only permits single-family residences, which are not well-suited to such a high-traffic thoroughfare.

II. Whether the proposed zoning district addresses a specific need in the county or city.

There is a clear need for small-scale, affordable commercial spaces within the City, but comparatively few such properties are available outside of the local historic districts. Consistent with this need, the petitioner has proposed to convert an existing residence into a flower shop. In addition, there is an established demand for child care facilities and the proposed OI district would ensure that an existing day care on the subject properties would become a fully conforming use.

b. Compatibility

I. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

The proposed zoning district will permit limited commercial uses, but these are not likely to result in adverse impacts on nearby residential areas, since vehicles will access the property from adjacent arterial roads and not residential streets. In addition, nearby residential properties are separated by a lane and any new construction will be subject to buffering and screening requirements. The uses permitted within the OI district are not associated with significant traffic volumes or high intensity of development.

II. Whether the zoning proposal is compatible with the present zoning pattern and conforming uses of nearby property and the character of the surrounding area.

By definition, the OI district is explicitly intended as a transitional district between nonresidential areas and residential areas. With long-established commercial uses to the west and southwest and stable residential areas to the north, the OI designation appears to serve this role for the subject properties.

III. Whether there are other existing or changing conditions affecting the use and property which give supporting grounds for either approval or disapproval of the zoning proposal.

c. Consistency

Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan and other adopted plans, such as a redevelopment plan or small area plan.

The subject properties are designated as “transition” according to the Future Land Use Map. This classification anticipates “potential commercial intrusion” due to the location of lots with residential character that are adjacent to arterial streets. The proposed OI zoning classification appears to be consistent with this designation.

d. Reasonable Use

Whether the property to be affected by the zoning proposal has a reasonable use as currently zoned.

While the subject properties may continue to exist primarily as single-family residences, there are several reasons to suggest that the present use is not ideally suited for the site. These are the only remaining single-family lots directly abutting DeRenne Avenue west of the Truman Parkway; homes otherwise abut frontage roads. High traffic levels and proximity to a major intersection with Abercorn Street reduce the desirability of these lots for purely residential purposes. Each individual lot requires a dedicated curb cut for ingress and egress, which can be hazardous for a street with such high traffic counts and speeds. There is evidence of existing commercial use within the subject properties—most notably a day care. The corner lot is undeveloped and is highly unlikely to be developed as a single-family residence but is well-positioned as a neighborhood-scale commercial property.

e. Adequate Public Services

Whether adequate school, public safety and emergency facilities, road, ingress and egress, parks, wastewater treatment, water supply and stormwater drainage facilities are available for the uses and densities that are permitted in the proposed zoning district.

The subject properties are served by DeRenne Avenue, a major arterial road, and Habersham Street, a minor arterial. Existing infrastructure and public services should be sufficient for possible development scenarios under the OI zoning classification.

f. Proximity to a Military Base, Installation or Airport

In accordance with the O.C.G.A. §36-66-6, when a rezoning is proposed for property located within 3,000 feet of a military base, installation or airport, or within the 3,000-foot Clear Zone and Accident Prevention Zones I and II as prescribed in the definition of an Air Installation Compatible Use Zone that is affiliated with such base.

The subject properties are not within 3,000 feet of a military base or within the other listed zones.

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 subject properties directly abut DeRenne Avenue, one of the busiest roads in the City. Another major arterial, Abercorn Street, runs just to the west. While historically these roads may have been more compatible with single-family homes, after upgrades and widenings these are no longer very suitable sites for detached residences. The growth in traffic, however, increases the potential for commercial development. The challenge remains to balance the range of uses that may be suitable for a commercial corridor with potential impacts on adjacent residents in stable neighborhoods to the north.

The OI district is expressly intended as a transitional area between nonresidential and residential regions where compatibility with nearby homes is important. It permits a narrow range of commercial uses and has development standards that temper height and bulk. There are other nearby instances of residences abutting commercial uses to the rear that do not appear to impact property values or otherwise have adverse effects. The eastern portion of Habersham Village, for example, is a nearly identical depth as the subject properties and is directly adjacent to residences on Sussex Street to the east.

The OI district represents an appropriate compromise between commercial and residential areas that should allow greater flexibility for uses like day cares and small shops. Based on the criteria outlined above, it is a more suitable district than the present RSF-6.

RECOMMENDATION:

The Planning Commission recommends **approval** of the request to rezone the subject property from the RSF-6 district to the OI district.

Table 1: Use Comparison, OI and RSF-6

Use	RSF-6	OI
Single-family detached	✓	
Cluster Development	L	
Continuing care retirement community		L
Upper story residential		✓
Agriculture, personal	✓	✓
Community Garden	✓	✓
Park, general	✓	✓
Library/community center	✓	✓
Museum		✓
Post office		✓
Police/fire station or substation	✓	✓
Child/adult day care center	L	L
Child/adult care center, 24 hour		L
School, public or private (K-12)	L	✓
All places of worship	S	✓
Personal care home, registered	✓	☐
Office, general		✓
Office, medical		✓
Office, utility/contractor		L
Art/photo studio; gallery		✓
Pharmacy		L
Services, general		✓
Animal services, indoor		L
Bank		✓
Business support services		✓
Catering establishment		✓
Funeral home; mortuary (not including crematorium)		✓
Event Venue		S
Instructional studio or classroom		✓
Personal service shop		✓
Repair-oriented services		✓
Golf course	✓	☐
Retail consumption dealer (on premise consumption of alcohol)	S	S
Dock, private	✓	
Dock, Residential Community	✓	
Marina, Residential	✓	
Watercraft Launch/Ramp	✓	

Utilities, major	S	S
Utilities, minor	✓	✓

Table 2: RSF-6 Development Standards

Standards	RSF-E	RSF-30	RSF-20	RSF-10	RSF-6	RSF-5	RSF-4
Lot Dimensions							
Street Access							
Lot area (min sq ft) [1]	43,560	30,000	20,000	10,000	6,000	5,000	4,000
Lot width (min. ft.)	120	100	80	70	60	50	40
Lane Access [2]							
Lot area (min sq ft) [1]	--	--	--	--	6,000	4,000 [3]	3,500
Lot width (min ft.)	--	--	--	--	60	40 [3]	35
Building Setbacks (min ft)							
Street Access							
Front yard	40	30	30	25	20	20	15
Side (interior) yard	20	10	10	7	5	5	5
Side (street) yard	15	15	15	15	10	10	10
Rear yard	40	30	30	25	20	20	20
From access easement	5	5	5	5	5	5	5
Lane Access							
Front yard	--	--	--	--	15	15	12.5
Side (interior) yard	--	--	--	--	5	5	5
Side (street) yard	--	--	--	--	10	5	5
Rear yard	--	--	--	--	20	20	20
From access easement	--	--	--	--	5	5	5
Building Separation	See Fire Code	See Fire Code	See Fire Code	See Fire Code	See Fire Code	See Fire Code	See Fire Code
Building Coverage (max)							
Street Access	40%	40%	40%	40%	40%	40%	40%
Lane Access	--	--	--	--	40%	45%	45%
Height (max ft)	40	40	40	40	36	36	36
Accessory Structure Setbacks	See Sec. 8.7	See Sec. 8.7	See Sec. 8.7	See Sec. 8.7	See Sec. 8.7	See Sec. 8.7	See Sec. 8.7

(--) = Not permitted or not applicable

Table 3: OI Development Standards

Standards	OI-T	OI	OI-E
Lot Dimensions (min)			
Lot area per unit for Upper Story Residential use (sq ft)	--	2,170	1,740
Lot area for all other uses	--	--	--
Lot width (ft)	--	--	--
Building (max)			
Building Coverage	50%	80%	80%
Height (ft)	36	40	75 [1]
Ground floor area (sq ft)	3,000	--	--
Building Setback (min ft)			
Front yard	20	15	15
Side (street) yard	15	15	15
Side (interior) yard	5	10	10
Rear yard	20	--	--
Rear Yard (adjacent to street/lane)	20	15	15
From access easement	5	5	5
Building separation	See Fire Code	See Fire Code	See Fire Code
Accessory Structure Setback	See Sec. 8.7	See Sec. 8.7	See Sec. 8.7
Parking Area Setback (min ft)			
From collector or arterial street rights-of-way	15	15	15
From local street rights-of-way	10	10	10
From lane, property line or access easement	5	5	5

(--)= Not permitted or not applicable

[1] Buildings proposed within 50 feet of a Residential zoning district shall be subject to the height restrictions established in such Residential zoning district and then may increase in height one (1) foot for every one (1) foot of distance from the Residential zoning district. For example, the portion of the building that is 65 feet from a Residential zoning district with a 36 foot height limit cannot exceed 51 feet in height.