



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 11, 2022**

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

FROM: **METROPOLITAN PLANNING COMMISSION**

SUBJECT: **MPC RECOMMENDATION**

PETITION REFERENCED:

Petitioner and Owner: Richmond Ferguson
Aldermanic District: 1, Lanier
County Commission District: 7, Lockett
Neighborhood/Subdivision: Cuyler-Brownsville
Current Zoning District: Traditional Residential/ TR-1
Future Land Use (FLU) Category: Planned Development

MPC ACTION:

Denial of the request to rezone the subject parcel from TR-1 to TC-1

MPC STAFF RECOMMENDATION:

Denial of the request to rezone the subject parcel from TR-1 to TC-1

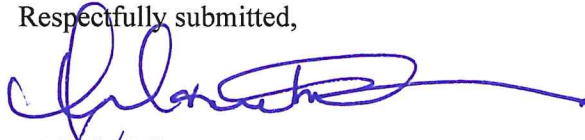
MEMBERS PRESENT: 9 + Chairman

Joseph Welch, Chairman
Laureen Boles
Travis Coles
Shedrick Coleman
Elizabeth Epstein
Karen Jarrett
Wayne Noha
Jeff Notrica
Tom Woiwode
Dwayne Stephens

PLANNING COMMISSION VOTE: Approve Staff Recommendation (9-0)

APPROVAL Votes: 9	DENIAL Votes: 0	ABSENT	Recuse
Welch Boles Coles Epstein Jarrett Noha Notrica Stephens Woiwode		Ervin Melder Kaigler Watkins	Coleman

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
Zarina Davis, Department of Inspections
Bridget Lidy, Department of Inspections
Candra Teshome, Department of Inspections





Savannah City Council Agenda Item Information Sheet

Date of MPC Hearing: October 11, 2022

Type of Petition: Rezoning Map Amendment

Staff Generated Petition: Y/N

Petitioner (File No. 22-002103-ZA) is requesting approval of a rezoning map amendment for the property at 1712 Ogeechee Rd. The property is currently zoned TR-1 and is proposed to be rezoned to TC-1.

The subject property is an undeveloped parcel northeast of the intersection of Ogeechee Road and Lavinia Street. Lavinia Street provides vehicular access to the subject property. Ogeechee Road has a width of 31 feet and has two-lanes. The property has a total area of 0.11 acres. The zoning was changed from Multifamily Residential-25 units per net acre/ Planned Neighborhood Conservation to Traditional Residential in 2019 with the update of the New City Zoning Ordinance (NewZO).

The MPC heard this petition at their August 16, 2022 meeting and asked the petitioner to work with MPC staff to find an alternative resolution. Staff has worked with the petitioner and were unable to come to find an alternative solution that suited him, so he has elected to move forward with the petition as it was originally submitted.

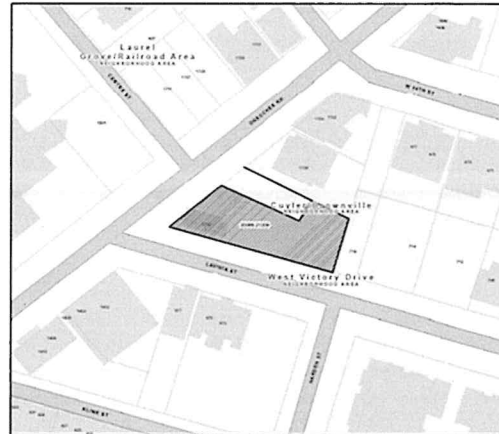
The Planning Commission recommends denial of the petition.



CHATHAM COUNTY-SAVANNAH METROPOLITAN PLANNING COMMISSION

“Planning the Future, Respecting the Past”

STAFF REPORT



File No. 22-003056-ZA

Location: 1712 Ogeechee Road

PIN: 20066 21009

Acreage: 0.11 Acres

Prepared by Nirav Gandhi, Project Planner

Petitioner and Owner: Richmond Ferguson

Aldermanic District: 1, Lanier

County Commission District: 7, Lockett

Neighborhood/Subdivision: Cuyler-Brownsville

Current Zoning District: Traditional Residential/ TR-1

Future Land Use (FLU) Category: Planned Development

Request

The petitioner is requesting to rezone the subject parcel from TR-1 (Traditional Residential) to TC-1 (Traditional Commercial).

Background

The subject property is an undeveloped parcel northeast of the intersection of Ogeechee Road and Lavinia Street. Lavinia Street provides vehicular access to the subject property. Ogeechee Road has a width of 31 feet and has two-lanes. The property has a total area of 0.11 acres. The zoning was changed from Multifamily Residential-25 units per net acre/ Planned Neighborhood Conservation to Traditional Residential in 2019 with the update of the New City Zoning Ordinance (NewZO).

The MPC heard this petition at their August 16, 2022 meeting and asked the petitioner to work with MPC staff to find an alternative resolution. Staff has worked with the petitioner, and we were unable to come to find an alternative solution that suited him, so he has elected to move forward with the petition as it was originally submitted.

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 posted on site. The petitioner contacted the Cuyler-Brownsville Neighborhood Association to have a neighborhood meeting. The public notice requirements have been met.

Existing Development Pattern

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

<u>Location</u>	<u>Land Use</u>	<u>Designation</u>
North	Place of Worship	TR-1*
East	Residential	TR-1*
South	Undeveloped	TR-1*
West	Undeveloped	TR-1*

**Traditional Residential*

Properties along Ogeechee Road between Kline Street and West 34th Street are primarily single family and multifamily residences, with the exception of the property at 1805 Ogeechee Road.

Impact and Suitability

Public Utilities

The area has access to the City’s public water, sewer, and stormwater systems. Infrastructure improvements would have to be provided for a development of the proposed scale.

Transportation and Transit

Public Transit is available along Ogeechee Road. The nearest bus stop is between Ogeechee Road and West 35th Street in relation to the subject property.

Community Development

The proposed zoning will allow the same land uses as the current zoning but adding commercial uses to the property. Based on the zoning of the subject property, residential dwellings are permitted, as well as some civic uses under the current zoning. The proposed zoning would allow intense commercial uses.

Future Land Use

The Comprehensive Plan Future Land Use Map designates the subject property as Planned Development. The current land use designation is consistent with the zoning district.

Existing TR-1 Zoning District:

- **Intent of the TR-1 District:** “This district allows for a variety of housing types including single-family detached, single-family attached, two-family over/under and three-four family. This district may be applied only to the following neighborhoods: Benjamin Van Clark Park, Cuyler-Brownville, Eastside and Midtown”
- **Allowed Uses:** Allowed Uses are attached as identified in Exhibit 1.
- **Development Standards:** The development standards for the TR-1 Zoning District appear in the attached table (Table 1).

Proposed TC-1 Zoning District:

- **Intent of the TC-1 District:** “The purpose of this district is established to ensure the vibrancy of historic mixed-use neighborhoods with traditional development patterns characteristic of Savannah during the streetcar and early automobile eras. The district provides for commercial areas that are developed at a mass and scale harmonious with nearby residential neighborhoods.”
- **Allowed Uses:** Allowed Uses are attached as identified in Exhibit 1.
- **Development Standards:** The development standards for the TC-1 Zoning District appear in the attached table (Table 1).

Zoning Ordinance Review

The following review criteria for rezoning are prescribed in the Savannah Zoning Ordinance Sec. 3.5.8.

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.

MPC Comment: The range of uses would change as a result of the rezoning. The rezoning from TR-1 to TC-1 would allow a range of commercial uses currently not permitted in TR-1.

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

MPC Comment: The proposed zoning would not address a specific need in the city.

b. Compatibility

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

MPC Comment: This is a distinctly residential neighborhood. The proposed zoning may adversely affect the use and usability of nearby properties. Vehicular

traffic impacts may be created by the commercial uses; therefore, limiting access to nearby residencies.

- 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.

MPC Comment: The proposed zoning is not a compatible zoning pattern with the uses of nearby properties. The area primarily consists of residential uses such as: single-family residences, duplexes, and apartments.

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

MPC Comment: There are no other existing or changing conditions affecting the use and development of the property.

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.

MPC Comment: The current Comprehensive Plan designation conforms with the zoning.

d. Reasonable Use

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

MPC Comment: The property has reasonable use under the current zoning.

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.

MPC Comment: Services are available for the uses and densities that are permitted in the proposed zoning district. However, it should be noted that the property is likely too small to accommodate the necessary parking spaces for a commercial use.

Analysis

The petitioner is requesting to rezone the property from the TR-1 classification to the TC-1 classification. The existing zoning is designed for residential areas in close proximity to downtown or in outlying historically settled areas. This category includes non-residential uses that are compatible with the residential character of neighborhoods. The developmental pattern of the district is primarily residential with a mixture of single-family residences, duplexes, and apartments. Although, there are areas zoned as Traditional Commercial in the vicinity, it is not a desirable scenario due to conflicts in land use and development standards including buffers, screening, and setbacks.

Recommendation

Based upon the site concerns and character of the area, as well as the review criteria, The Planning Commission recommends **denial** of the rezoning request as submitted.

Note: Staff's recommendation is based upon information contained in the application and discussions with the Applicant. This recommendation could change based on information gathered during the public hearing.

Table 1: Comparison of Development Standards			
Standards	TR-1	TC-1	TN-1
Lot Dimensions			
Lot area (min sq. ft)	3,000	n/a	n/a
Lot width (min ft)	40	20	20
Building Setbacks (min ft)			
Front yard	5	n/a	0
Side yard	3	10	3
Rear yard	20	10	30
Building Coverage (max)	50%	n/a	60%
Height (max ft)	36	3 stories or up to 45	40

Exhibit 1: Comparison Table	✓ Permitted Use L= Limited Use S=Special Use		
	TR-1	TN-1	TC-1
<i>Single-family detached</i>	✓	✓	✓
<i>Single-family attached</i>	✓	✓	✓
<i>Two-family</i>	✓	✓	✓
<i>Three-family / Four-family</i>	L	✓	✓
<i>Townhouse</i>		✓	✓
<i>Stacked townhouse</i>		✓	✓
<i>Apartment</i>		✓	✓
<i>Upper story residential</i>		✓	✓
<i>Child caring institution</i>		L	L
<i>Dormitory/student housing</i>			✓
<i>Fraternity/sorority house</i>		S	S
<i>Monastery/convent</i>		✓	✓
<i>Rooming house</i>		S	L
<i>Single room occupancy</i>		S	L
<i>Agriculture, personal</i>	✓	✓	✓
<i>Community Garden</i>	✓	✓	✓
<i>Park, general</i>	✓	✓	✓
<i>Library/community center</i>	✓	✓	✓
<i>Museum</i>		✓	✓
<i>Post office</i>		✓	✓
<i>Police/fire station or substation</i>	✓	✓	✓
<i>Emergency Medical Services (EMS) substation/ Ambulance Service</i>			S
<i>Shelter, emergency</i>			S
<i>Shelter, transitional</i>			L
<i>Soup kitchen</i>			L
<i>Child/adult day care home</i>	L	S	L
<i>Child/adult day care center</i>		S	L
<i>Child/adult care home, 24 hour</i>			S
<i>Child/adult care center, 24 hour</i>			S
<i>College, university, seminary</i>		S	✓
<i>Educational building used by a college, university or seminary</i>		S	✓
<i>School, public or private (K-12)</i>	L	✓	✓
<i>School, trade, vocational or business</i>		S	✓
<i>All places of worship</i>	S	✓	✓
<i>Private club/Lodge</i>			S

<i>Correctional transition facility</i>			S
<i>Hospice</i>		✓	✓
<i>Nursing home</i>		✓	✓
<i>Assisted living facility</i>		✓	✓
<i>Personal care home, registered</i>	✓	✓	✓
<i>Personal care home, family</i>	S	✓	✓
<i>Personal care home, group</i>	S	✓	✓
<i>Substance recovery facility</i>			S
<i>Office, general</i>		✓	✓
<i>Office, medical</i>		✓	✓
<i>Office, utility/contractor</i>			L
<i>Studio/multimedia production facility</i>			L
<i>Indoor amusement</i>			✓
<i>Indoor sports facility</i>			✓
<i>Teen Club</i>			L
<i>Theater/cinema/ performing arts</i>			✓
<i>Retail, general</i>		✓	✓
<i>Art/photo studio; gallery</i>		✓	✓
<i>Convenience store</i>			S
<i>Fuel/gas station</i>			S
<i>Food-oriented retail</i>			✓
<i>Pharmacy</i>		✓	✓
<i>Services, general</i>			✓
<i>Animal services, indoor</i>			L
<i>Bank</i>			✓
<i>Body art services</i>			✓
<i>Business support services</i>			✓
<i>Catering establishment</i>			✓
<i>Hall, banquet or reception</i>			S
<i>Instructional studio or classroom</i>			✓
<i>Laundromat;</i>			✓
<i>Dry Cleaner/Laundry, Neighborhood</i>			✓
<i>Personal service shop</i>		✓	✓
<i>Psychic; palmist; medium; fortune teller</i>			✓
<i>Repair-oriented services</i>			✓
<i>Distillery, craft,</i>			S
<i>Bar; tavern</i>			S
<i>Restaurant</i>			✓
<i>Retail consumption (dealer on premise consumption of alcohol)</i>		S	S
<i>Ancillary retail dealer (off-premise consumption of alcohol)</i>			✓

<i>Package store (not including wine specialty)</i>			S
<i>Wine Specialty Shop (not including package stores)</i>			S
<i>Winery; Meadery; Cider</i>			S
<i>Brewery, Micro</i>			S
<i>Bed and Breakfast Homestay</i>		L	L
<i>Bed and breakfast</i>		L	L
<i>Inn</i>		L	L
<i>Hotel/motel, 16-74 rooms</i>			S
<i>Short-term vacation rental</i>		L	L
<i>Vehicle service, minor</i>			L
<i>Vehicle wash, full or self-service</i>			L
<i>Manufacturing, Artisan/Craft</i>			L
<i>Parking facility</i>		S	S
<i>Utilities, major</i>	S	S	S
<i>Utilities, minor</i>	✓	✓	✓