



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: **NOVEMBER 21, 2017**

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

FROM: **METROPOLITAN PLANNING COMMISSION**

SUBJECT: **MPC RECOMMENDATION**

PETITION REFERENCED:

Text Amendment to the City of Savannah Zoning Ordinance

**Re: Amendments to the B-C District and the Victorian
 District 3-B District to Allow Certain Residential Uses
 By-right and to Increase Residential Density**

Midtown Redevelopment, LLC, Petitioner

Harold Yellin (HunterMacLean), Agent

MPC ACTION:

APPROVAL of an alternate text
amendments as stated in
recommendation.

MPC STAFF RECOMMENDATION:

APPROVAL of an alternate text
amendments as stated in
recommendation.

MEMBERS PRESENT: 8 + Chairman

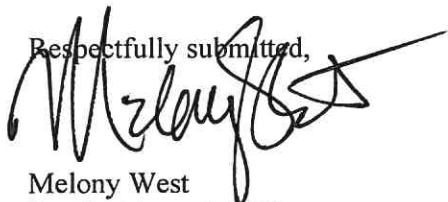
James Overton, Chairman
Shedrick Coleman
Travis Coles
Ellis Cook
Karen Jarrett
Lacy Manigault
Tanya Milton

Linder Suthers
Tom Woiwode

PLANNING COMMISSION VOTE: Approve Staff Recommendation (7-2)

APPROVAL Votes: 7	DENIAL Votes: 2	ABSENT
Overton Cook Coleman Coles Manigault Suthers Woiwode	Jarrett Milton	Ervin Hernandez Mackey Smith Welch

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

November 21, 2017 Regular MPC Meeting

Title

TEXT AMENDMENT: Amendments to the Victorian 3-B District and the B-C District (as provided in the description section below) | Midtown Redevelopment, LLC, Petitioner | Harold Yellin, Agent | File No. 17-004803-ZA

Description

The petitioner seeks to do the following: 1) Amend Sec. 8-3025(b) to Allow the Multi-family Use in Certain Areas Zoned B-C (Community Business) and to Expand the Location of the Upper-Story Residential Use; and, 2) to Amend the Victorian District 3-B Intent and Lot Area Standards to Allow More Residential Density, and to Allow Residential Uses By-Right.

This item was continued from the October 31, 2017 meeting.

Recommendation

Denial of the amendment as proposed by the petitioner. Approval of an alternate amendment recommended by MPC staff.

Contact

Charlotte L. Moore, AICP
moorec@thempc.org | 912.651.1465

Financial Impact

n/a

Review Comments

Attachments

- 🔗 [Staff Report-17-004803-ZA-Nov 21.pdf](#)
- 🔗 [1-Concept Plan.pdf](#)
- 🔗 [2-Neighborhood-Historic-Zoning Map.pdf](#)
- 🔗 [3-Victorian District Contributing Bldgs Map.pdf](#)



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: Planning Commission

DATE: November 21, 2017 (Continued from October 31, 2017)

SUBJECT: Text Amendment to the City of Savannah Zoning Ordinance
Re: Amendments to the B-C District and the Victorian
District 3-B District to Allow Certain Residential Uses
By-right and to Increase Residential Density
Midtown Redevelopment, LLC, Petitioner
Harold Yellin (HunterMacLean), Agent
File No. 17-004803-ZA

ISSUE:

A request to amend the Victorian Planned Neighborhood Conservation District 3-B district and the B-C (Community Business) district to allow certain residential uses by-right and to increase residential density.

In addition to the proposed text amendment, the petitioner also seeks a related rezoning to the 3-B district. The rezoning petition is scheduled for the same City Council meeting as the rezoning petition (File No. 17-004805-ZA).

BACKGROUND:

The petitioner seeks to redevelop a block located between Montgomery Street to the west, Anderson Street to the north, Jefferson Street to the east and W. 31st Street to the south. The block is separated by Anderson Lane. The block contains seven parcels and a total of 1.17 acres of land (not including the public lane). The petitioner owns the entire block and seeks to construct upwards to 105 dwelling units in addition to rehabilitating nine existing dwelling units. The present zoning and some of the zoning requirements would not allow the desired density. The concept plan is attached to the agenda and is for illustrative purposes only (see 1-Concept Plan).

The block is within two separate neighborhoods (Victorian and Metropolitan); has five parcels within two local historic districts (Victorian and Mid-City); has four parcels within the Martin Luther King, Jr. Boulevard/Montgomery Street Urban Redevelopment Area, and has a total of four zoning districts: Victorian 3-B and 3-R, Mid-City TN-2 and B-C (see Map 2-Neighborhood-Historic-Zoning Map). The petitioner's proposed changes follow.

Northside of Block: Proposed Changes

The northern portion of the block is located within the Victorian Planned Neighborhood Conservation District and includes four parcels. The two westernmost parcels, zoned 3-B, were a former gas and service station that became an auto sales lot that no longer exists. These parcels are not proposed to be rezoned; however, a text amendment to the 3-B district is proposed to do the following:

- 1) Change the intent statement to eliminate the reference to the residential density range;
- 2) Allow all housing types by-right instead of with approval from the Zoning Board of Appeals; and,
- 3) Eliminate the amount of land area required for multi-family in the 3-B district and replace it with a minimum dwelling unit size of 450 square feet for any property that abuts Montgomery Street or Martin Luther King, Boulevard.

Related to the 3-B text amendments, the petitioner also seeks to rezone the two easternmost parcels to the 3-B district from its present 3-R district.

Southside of Block: Proposed Changes

The southern portion of the block includes three parcels. The two westernmost parcels are zoned B-C (Community Business). They are presently vacant but previously served as a vehicle storage area for the former auto sales business to the north. The easternmost parcel is zoned TN-2 and contains three multi-family residences for a total of eight (8) dwelling units. A rezoning to the TC-1 district is proposed to increase residential density.

A text amendment to the B-C district is proposed to do the following:

- 1) Add multi-family to the B-C district by-right with a use limitation that it be permitted only within a specific area (properties abutting MLK, Jr. Boulevard or Montgomery Street from Anderson Lane south to Victory Drive but not including the Cuyler-Brownville neighborhood). This also includes the following conditions: a) a dwelling unit would have to be at least 450 square feet in size; and, b) a “design administrator” would have to issue a Certificate of Appropriateness in compliance with the Planned Neighborhood Conservation section (8-3207).
- 2) Allow the existing upper-story residential use to be expanded into the same area as described above, and to include a requirement for a Certificate of Appropriateness, also as described in the above paragraph.

FINDINGS:

Findings are separated for the Victorian 3-B district and the B-C District.

Victorian 3-B District Background

1. The Victorian District became a National Register Historic District in 1974. It was not until 1981, however, that it became a local historic district when it was zoned to the Victorian Planned Neighborhood Conservation District which included six base zoning districts: 1-R, 2-R, 3-R, 1-B, 2-B and 3-B. These districts were not named, but their “R” and “B” designations indicate a more “Residential” or a more “Business” orientation with regards to uses. All districts are mixed-use, containing various residential and non-residential uses.

A local historic district designation provides an opportunity to review the design of new construction, rehabilitation and the demolition and relocation of structures to ensure compatibility with buildings that “contribute” historically to the district. A contributing building is one that has “integrity of location, design, setting, materials, workmanship, feeling, and association” and that meets at least one of the following criteria identified by the U.S. Department of the Interior.

- a. Are associated with events that have made a significant contribution to the broad patterns of our history; or
- b. Are associated with the lives of significant persons in our past; or
- c. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- d. Have yielded or may be likely to yield, information important in history or prehistory.

The Victorian District Historic Buildings Map shows all contributing buildings for the neighborhood in purple (see Map 3-Contributing Buildings Map). The building located at 313 W. Anderson Street is a contributing structure. That property is proposed to be rezoned to a 3-B district.

2. A base zoning district consists of three fundamental parts: a) a district intent or purpose statement; b) permitted uses (either by-right with or without conditions, or as a special use that requires Zoning Board of Appeals approval) and, c) development standards. The latter standards relate to density, minimum lot size and lot width, maximum building coverage, minimum yard setbacks and building height.

For the 3-B district, the petitioner proposes amendments to each of these parts to increase residential density and to allow residential uses by-right. The proposed amendments include:

- a. **Changes to 3-B District Intent:** All six zoning districts within the Victorian District identify a density range within their intent/purpose statement. The petitioner seeks to eliminate the range for only the 3-B district. The existing intent statement is listed below, and the sentence proposed to be eliminated is underlined.

“The 3-B district permits limited heavy commercial uses and mixed residential uses. Specific commercial uses permitted in these respective “B” districts are listed in the schedule of permitted uses. The 3-B district permits a density range of between 30 and 50 dwelling units per gross acre of land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.).

To support increased residential density within the urban redevelopment area without affecting other 3-B zoned parcels, including those with existing contributing historic buildings, it is suggested that the intent statement be revised to be more limiting as follows:

“The 3-B district permits limited heavy commercial uses and mixed residential uses. Specific commercial uses permitted in these respective “B” districts are listed in the schedule of permitted uses. The 3-B district permits a density range of between 30 and 50 dwelling units per gross acre of land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.). For parcels located within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area that do not include a contributing historic building, the density range does not apply.

- b. **Proposed District Uses:** The petitioner proposes to change how residential uses are permitted in the 3-B district. Instead of permitting them as a special use that requires Zoning Board of Appeals approval, the petitioner seeks to allow as a matter-of-right. The below chart shows the proposed change.

List of Uses	3-B
<u>Residential Types</u>	
(1) One-family dwelling:	
a. Detached	B X
b. Semidetached or end row	B X
c. Attached or row	B X
(2) Two-family dwelling:	
a. Detached	B X
b. Semidetached or end row	B X
c. Attached or row	B X
(3) Multifamily dwelling:	
a. Detached	B X

List of Uses	3-B
b. Semidetached or end row	B X
c. Attached or row	B X
(4) Multifamily dwelling, four-story or more	B X
(5) Garage apartment or carriage house	B X

Because the Victorian District is a mixed-use neighborhood, residential uses of any type should be permitted by-right instead of requiring a public hearing. The proposed change is supported and is recommended also for the 1-B and 2-B districts. However, since this is not part of the petitioner's amendment and has not been discussed with the Victorian Neighborhood Association (VNA), it may not be appropriate to change the 1-B and 2-B districts as part of this petition.

Use 4, Multi-family dwelling, four-story or more, is a curious "use." For all six Victorian zoning districts, this use requires Zoning Board of Appeals approval. However, the development standards already regulate maximum height. Height is also measured in feet instead of stories in the Victorian District. The maximum permitted height is 40 feet with the possibility that the Planning Commission can approve an additional 20% in height (or eight feet).

Because this "use" is confusing and contradicts how height is measured, it is recommended to be eliminated from all districts within the Victorian District. Unlike the other residential uses—one, two, multi-family and garage apartments—this is not a residential housing type.

- c. **Proposed Development Standards:** For multi-family uses only within the 3-B district, the petitioner seeks to eliminate a lot area requirement per dwelling unit. In its place, the petitioner proposes a minimum dwelling unit size of 450 square feet. The size is not related to land area, but is simply the size of the dwelling unit. The overall density would then be determined by other factors such as required building setbacks, lot coverage, building height, parking and greenspace.

The below chart identifies the multi-family minimum lot area requirements for all Victorian zoning districts. The applicant's proposed changes, including additions and deletions, are highlighted in yellow.

	***Lot Area Per Unit by Dwelling Type and District (sq. ft.)			
	1-R	2-R	3-R	1-B, 2-B, 3-B
Multi-family				
Efficiency	1015	870	725*	1015**
1-bedroom	1210	970	790	1210**
2-bedroom	1360	1090	970	1360**
3 or more bedrooms	1745	1450	1245*	1745**

(*) The unattached side of a structure shall have a minimum side yard setback of 5 feet.

(**) In the 3-B District, for new construction of multi-family dwelling units that abut Martin Luther King, Jr. Boulevard or Montgomery Street, the lot area per unit requirements shall be deleted. Instead, all units are required to be at least 450 square feet of floor area.

(***) In the 3-B District, for new construction of multi-family dwelling units that abut Martin Luther King, Jr. Boulevard or Montgomery Street, to calculate ~~calculating~~ the maximum density allowed, a mix of dwelling types is allowable provided the dwelling units meet the minimum square footage (450 square foot floor area) requirement of the Ordinance the minimum gross lot area for the aggregate number of units is not exceeded. For example, a minimum lot area of 5,570—square feet would be required for a multifamily dwelling housing two 2-bedroom units, 2 one-bedroom units, and one 3-bedroom unit in the 2-R district $(2 \times 1,090) + (2 \times 970) + (1 \times 1,450) = 5,570$.

The petitioner seeks to eliminate density for only new construction with the provision that new construction must abut either MLK, Jr. Boulevard or Montgomery Street. As proposed, the text is concerning for the following reasons:

- The phrase “new construction” is somewhat vague. Typically, the reference is to a parcel of land that abuts a street.
- It is possible that some parcels could extend an entire block into a more residential interior of a neighborhood. As proposed by the petitioner in its rezoning petition, the 3-B is proposed to extend to Jefferson Street, which is a predominantly residential and much less dense than what is proposed. Most multi-family in the Victorian District is small-scale and typically about three to five dwelling units per building.
- The use of two asterisks seems to reference a similar calculation. The triple asterisk reference also removes the calculation explanation for the other districts.

The existing approach to density in the Victorian District is awkward. A certain amount of land area is required based on the number of bedrooms in a dwelling unit, which varies by zoning district. The “B” districts have the same requirements just as the most predominantly residential district (1-R) does. The requirements likely reflect a desire from the early 1980s to restrict multi-family development and have the Montgomery Street area be more commercial in nature.

Density should be reconsidered for the entirety of the Victorian District once a clear vision is established for the neighborhood. However, that is beyond the scope of this petition. Since the existing 3-B portion of the petitioner’s property is within an urban redevelopment area, an alternate approach is suggested to allow more density within its boundaries:

	Lot Area Per Unit by Dwelling Type and District (sq. ft.)
	1-B, 2-B, 3-B**
Multi-family	
Efficiency	1015
1-bedroom	1210
2-bedroom	1360
3 or more bedrooms	1745
(*) The unattached side of a structure shall have a minimum side yard setback of 5 feet.	
(**) For parcels zoned 3-B that are located within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area and that do not contain a contributing historic building, the lot area requirement does not apply. However, a dwelling unit must be no less than 450 square feet in floor area.	

B-C District Background

The areas highlighted in yellow are the changes proposed by the petitioner to the B-C district, specifically to the Multi-family use and the Upper-story residential use.

	B-C District
Use	
(3) Multi-family dwelling	
a. Detached	X
b. Semidetached or end-row	X
c. Attached or row	X
d. For (a)(b)(c), such multifamily dwellings in the B-C District shall only be permitted on properties located between Anderson Lane and Victory Drive, provided that such properties abut Martin Luther King, Jr. Boulevard or Montgomery Street. For such development, a dwelling must be at least 450 square feet in floor area. No permit shall be issued unless the Design Administrator has issued a certificate of appropriateness, based on the standards of Sec. 8-3207. The provisions of this Section shall not apply to properties located within the Cuyler-Brownville planned neighborhood conservation district.	
(4) Upper-story residential	X

<p>a. Such use shall be permitted only within the boundaries of the Savannah Historic District. <u>For properties located between Anderson Lane and Victory Drive, provided that such properties abut Martin Luther King, Jr. Boulevard or Montgomery Street. The provisions of this Section shall not apply to properties within the Cuyler-Brownville planned neighborhood conservation district. For properties outside of the Savannah Historic District, no permit shall be issued unless the Design Administrator has issued a certificate of appropriateness, based on the standards of Sec. 8-3207.</u></p>	
<p>b. A dwelling must be at least 450 square feet of floor area.</p>	
<p>c. Permissible ground level non-residential uses are those uses permitted within the base district and within the following categories of Sec. 8-3025(b): Community Facilities; Animal Care; Recreation; Retail Sales and Service (not to include adult entertainment establishments); Unclassified Retail Sales and Service (not to include principal use storage of any type, and any vehicular sales, rentals or service with the exception of bicycles and scooters); and automobile parking lots or parking garages (only if required parking is located on-site of the upper-story residential development). This limitation applies as of June 22, 2017 to any building constructed to include the upper-story residential use.</p>	

As shown on Map 2, the B-C district from Anderson Lane to Victory Drive includes 13.5 blocks that are not located within a local historic district. This means that not only are there no design standards, there are no demolition standards.

While the petitioner proposes that there would be a design administrator who would issue a Certificate of Appropriateness based on “standards” in Section 8-3207 (Planned Neighborhood Conservation District), an area must be rezoned to a PNC district first. The specific “standards” would have to be developed for the PNC district, just as they were for the Victorian and Cuyler-Brownville PNC districts. Without this in place, there are no design standards or protection for the numerous structures within the area that would likely qualify as a contributing historic resource.

This area of the corridor was left out of the Mid-City district to allow specific standards to be developed for predominantly commercial corridor. Without its inclusion in a local district, it remains vulnerable to development that is auto-centric and suburban in nature. The B-C district is the original zoning district for the area and has been in existence since 1960. This same district has been used throughout the city to support intensive commercial development. Oglethorpe Mall, for example, is zoned B-C. Allowing increased density without any protections in place could hasten potential demolition of many structures, including those that are likely to qualify as historic.

An alternative to the B-C district is to rezone the B-C parcels to a Mid-City TC-2 district with some adjustments to the TC-2 standards to allow for greater density within the corridor. A rezoning to the TC-2 district would extend the Mid-City local historic district and include design requirements. As with the 3-B district, increased density is supported within the urban redevelopment area

The Mid-City TC-2 district is intended to “...ensure the vibrancy of historic mixed-use neighborhoods with traditional development patterns characteristic of Savannah from 1890 to 1930 during the street car and early automobile era. The district provides for arterial commercial corridors that traverse historic neighborhoods and serve through traffic as well as local markets.”

In Mid-City, the TC-2 district exists only along Victory Drive (Map 2). This district has the most intensive uses and residential density for the Mid-City district. The attached Table 1 provides the list of permitted uses within the TC-2 district. They include all residential housing types (including upper-story residential, which the petitioner wanted), numerous institutional and commercial uses.

Table 2 shows the development standards. Increased residential density and building height are supported for parcels located within the MLK, Jr./Montgomery Urban Redevelopment Area. In Mid-City, a multi-family dwelling unit size is already permitted to be no less than 300 square feet of floor area. As similarly suggested for the 3-B district, density can be eliminated with only a minimum dwelling size required. For building height, a maximum height limit of four stories or 55 feet is suggested. The alternative amendment is:

(4) **General Development Standards.**

All uses are subject to the general standards set forth in Division 6, General Development Standards.

(a) For properties zoned TC-2 that are located within the Martin Luther King, Jr. Boulevard/Montgomery Street Urban Redevelopment Area and that do not contain a contributing structure the following standards apply:

i. **Density.** A maximum residential density is not required for multi-family development; however, the minimum floor area requirement of 300 square feet is applicable.

ii. **Height.** The maximum height is four (4) stories or 55 feet maximum up to 150 feet from the right-of-way of Montgomery Street. For a distance greater than 150 feet, the maximum height of Sec. 8-3216(6) applies.

When an abutting parcel contains an existing residential dwelling, the maximum height shall not be more than one (1) story taller than the residence within 30 feet from the exterior wall of the residence.

Ground Floor

Commercial or civic (see use table in 8-3216(2)(a))

Upper Floors

Residential, civic or commercial (see use table in 8-3216(2)(a)). No residential use allowed below a commercial use.

Ground Floor Area

10,000 square feet maximum

Residential Density

30 units per gross acre maximum

36 units per gross acre maximum for designated affordable housing

For parcels within the MLK/Montgomery Urban Redevelopment Area, see Sec. 8-3216(4)(a).

Building Height: 3 stories maximum, 1 story minimum, 45 feet maximum; For parcels within the MLK/Montgomery Urban Redevelopment Area, see Sec. 8-3216(4)(a).

Floor Height

Ground floor: 13 feet minimum

Upper floors: 9 feet minimum

Ground Floor Elevation

Residential ground floor: 30 inches minimum, including slab construction; Nonresidential: No minimum

OCTOBER 31 PLANNING COMMISSION MEETING: CONTINUATION TO PROVIDE ALTERNATE TEXT

At the October 31 meeting, the Commission continued this item and the related rezoning petition. The Commission appeared to support the rezoning of the parcel with the historic structure from 3-R to 3-B. Because the parcel is not within the URA, the density requirement would not be eliminated as proposed in the text recommended by staff. Therefore, the amendment was continued to allow an opportunity to provide text that would allow density to be eliminated in a 3-B district that is not located with the URA.

The petitioner provided the following alternate text for the 3-B district intent statement and lot area coverage as follows:

3-B District Intent Statement: “The 3-B district permits limited heavy commercial uses and mixed residential uses. Specific commercial uses permitted in these respective “B” districts are listed in the schedule of permitted uses. The 3-B district permits a density range of between 30 and 50 dwelling units per gross acre of land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two- bedroom unit, etc.). For parcels that do not contain a contributing historic building and that are located (i) within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area, or [emphasis added] (ii) within 75 feet of the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area (provided that such parcel(s) is recombined with a parcel located within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area), the density range does not apply.

Lot Area Coverage:

	Lot Area Per Unit by Dwelling Type and District (sq. ft.)
	1-B, 2-B, 3-B**
Multi-family	
Efficiency	1015
1-bedroom	1210
2-bedroom	1360
3 or more bedrooms	1745

(*) The unattached side of a structure shall have a minimum side yard setback of 5 feet.

(**) For parcels zoned 3-B that do not contain a contributing historic building and that are located (i) within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area, *or* (ii) within 75 feet of the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area (provided that such parcel(s) is recombined with a parcel located within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area), the lot area requirement shall not apply. However, a dwelling unit must be no less than 450 square feet in floor area.

The Commission supported this text and the rezoning of the parcel from 3-R to 3-B.

POLICY ANALYSIS:

To spur additional residential development within the Victorian and Metropolitan neighborhoods, increased density is supported but in a more limited manner than is proposed by the petitioner. A vision for redevelopment should be established for both neighborhoods to ensure that future development, not just residential, is consistent with the traditional development patterns while accommodating 21st century needs.

A more limited approach to the text amendments, in addition to the recommended rezoning, will allow the petitioner to provide more residential units without creating potential unintended consequences for other properties within these neighborhoods.

ALTERNATIVES:

1. Recommend approval of the text amendments as provided by the applicant.
2. Recommend approval of the alternate amendments proposed by MPC staff, or other alternate amendments.
3. Recommend denial of the text amendments.

RECOMMENDATION:

DENIAL of the petitioner's text amendments as initially requested. **APPROVAL** of an alternate text amendments as follows:

ENACT

I. Article B. (Zoning Districts), Sec. 8-3028(c)(3) (Victorian PNC District, 3-B District).

“The 3-B district permits limited heavy commercial uses and mixed residential uses. Specific commercial uses permitted in these respective “B” districts are listed in the schedule of permitted uses. The 3-B district permits a density range of between 30 and 50 dwelling units per gross acre of land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two- bedroom unit, etc.). For parcels that do not contain a contributing historic building and that are located (i) within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area, *or [emphasis added]* (ii) within 75 feet of the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area (provided that such parcel(s) is recombined with a parcel located within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area), the density range does not apply.

II. Article B. (Zoning Districts), Sec. 8-3028(d) (Victorian District PNC District, Permitted Uses, Uses 1, 2 3 and 5).

List of Uses	3-B
<u>Residential Types</u>	
(1) One-family dwelling:	
a. Detached	B X
b. Semidetached or end row	B X
c. Attached or row	B X
(2) Two-family dwelling:	
a. Detached	B X
b. Semidetached or end row	B X
c. Attached or row	B X
(3) Multifamily dwelling:	
a. Detached	B X
b. Semidetached or end row	B X
c. Attached or row	B X
(5) Garage apartment or carriage house	B X

III. Article B. (Zoning Districts), Sec. 8-3028(d) (Victorian District PNC District, Permitted Uses, Multi-family Dwelling, four-story or more)

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
<u>Residential Types</u>						
(4) Multi-family dwelling, four-story or more	B --	B --	B --	B --	B --	B --

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
Reserved						

IV. Article B. (Zoning Districts), Sec. 8-3028(e)(1) (Victorian District PNC District, Development Standards, Standards for Dwellings).

	Lot Area Per Unit by Dwelling Type and District (sq. ft.)
	1-B, 2-B, 3-B**
Multi-family	
Efficiency	1015
1-bedroom	1210
2-bedroom	1360
3 or more bedrooms	1745
<p>(*) The unattached side of a structure shall have a minimum side yard setback of 5 feet.</p> <p>(**) For parcels zoned 3-B that do not contain a contributing historic building and that are located (i) within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area, <i>or</i> (ii) within 75 feet of the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area (provided that such parcel(s) is recombined with a parcel located within the Martin Luther King, Jr./Montgomery Street Urban Redevelopment Area), the lot area requirement shall not apply. However, a dwelling unit must be no less than 450 square feet in floor area</p>	

V. Article K. (Mid-City District), Division I (Generally), Sec. 8-3199 (Boundaries).

Note: If the petitioner's two B-C parcels are recommended for rezoning to a TC-2 district, the section text will be amended to include the two parcels. This information will be provided with formal ordinance.

VI. Article K. (Mid-City District), Division I (Generally), Sec. 8-3216(4) (Traditional Commercial Districts, General Development Standards).

(4) **General Development Standards.**

All uses are subject to the general standards set forth in Division 6, General Development Standards.

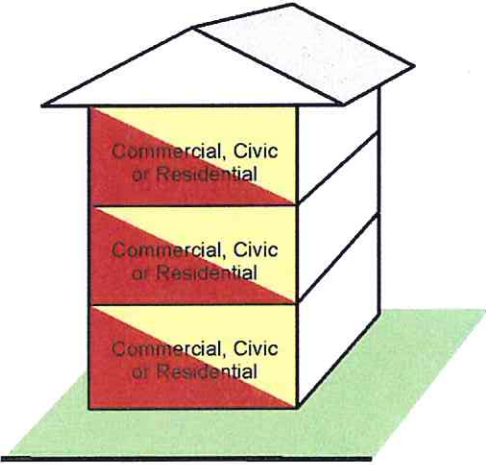
(a) For properties zoned TC-2 that are located within the Martin Luther King, Jr. Boulevard/Montgomery Street Urban Redevelopment Area and that do not contain a contributing structure the following standards apply:

i. **Density.** A maximum residential density is not required for multi-family development; however, the minimum floor area requirement of 300 square feet is applicable.

ii. **Height.** The maximum height is four (4) stories or 55 feet maximum up to 150 feet from the right-of-way of Montgomery Street. For a distance greater than 150 feet, the maximum height of Sec. 8-3216(6) applies.

When an abutting parcel contains an existing residential dwelling, the maximum height shall not be more than one (1) story taller than the residence within 30 feet from the exterior wall of the residence.

VII. **Article K. (Mid-City District), Division I (Generally), Sec. 8-3216(4) (Traditional Commercial Districts, General Development Standards).**

<div data-bbox="151 1482 191 1560" data-label="Text"> <p>Use</p> </div> 	<p>Ground Floor Commercial or civic (see use table in 8-3216(2)(a))</p> <p>Upper Floors Residential, civic or commercial (see use table in 8-3216(2)(a)). No residential use allowed below a commercial use.</p> <p>Ground Floor Area 10,000 square feet maximum</p> <p>Residential Density 30 units per gross acre maximum 36 units per gross acre maximum for designated affordable housing For parcels within the MLK/Montgomery Urban Redevelopment Area, see Sec. 8-3216(4)(a).</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

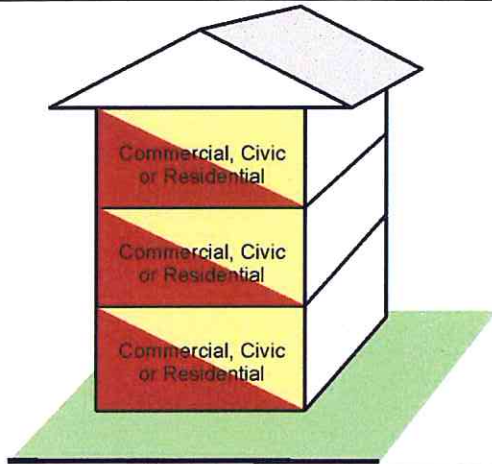
<div data-bbox="149 480 191 562" data-label="Section-Header"> <h2>Site</h2> </div> <div data-bbox="246 275 844 764" data-label="Image"> <p>The diagram illustrates the site plan requirements for a lot. It shows a rectangular lot with a dashed line for the 'Right-of-Way' on the left. The 'Side Property Line' is on the left, and the 'Rear Property Line' is on the top. The 'Side Yard' is the area between the side property line and the building. The 'Rear Yard' is the area between the rear property line and the building. The 'Street Yard' is the area between the right-of-way and the building. The 'Building Frontage' is the length of the building along the street. The diagram includes the following labels and dimensions:</p> <ul style="list-style-type: none"> Side Yard Attached: 0 ft. Detached: Min. 10 ft. Rear Yard Min. 10 ft. Street Yard Max. 5 ft. Building Frontage Min. 70% Minimum Lot Width: 35 ft. Max 30% (referring to the building footprint area) </div>	<p>Lot Area: 2,200 SF minimum for attached residential. 3,000 SF minimum for all other uses.</p> <p>Lot Width: 35 feet minimum</p> <p>Building Frontage: 70% of lot width minimum</p> <p>Street Yard Average street yard for all contributing structures on the block face; Blocks without contributing structures, 5 feet maximum</p> <p>Rear Yard: 10 feet minimum</p> <p>Side Yard: 0 feet on any attached side or abutting TC-1 or TC-2 zoning; all other sides, 10 feet minimum</p>
<div data-bbox="149 989 191 1129" data-label="Section-Header"> <h2>Height</h2> </div> <div data-bbox="263 821 824 1293" data-label="Image"> <p>The diagram shows a cross-section of a three-story building. The 'Ground Floor' is the bottom level. The 'Minimum Height: 1 Story' is indicated for the ground floor. The 'Maximum Building Height: 45 ft.' is indicated for the total height. The 'Maximum Height: 3 Stories' is indicated for the upper floors. The 'Minimum 9 ft.' is indicated for the height of the upper floors. The 'Minimum 13 ft.' is indicated for the height of the ground floor. The diagram includes the following labels and dimensions:</p> <ul style="list-style-type: none"> Maximum Building Height: 45 ft. Maximum Height: 3 Stories Minimum Height: 1 Story Minimum 9 ft. Minimum 9 ft. Minimum 13 ft. Ground Floor </div>	<p>Building Height: 3 stories maximum, 1 story minimum, 45 feet maximum; <u>For parcels within the MLK/Montgomery Urban Redevelopment Area, see Sec. 8-3216(4)(a).</u></p> <p>Floor Height Ground floor: 13 feet minimum Upper floors: 9 feet minimum</p> <p>Ground Floor Elevation Residential ground floor: 30 inches minimum, including slab construction; Nonresidential: No minimum</p>

Table 1: TC-2 District Permitted Uses		
		Standards
Key: -- = Not Permitted ✓ = Permitted * = Subject to Special Use Review		
Single-family detached, semi-detached or end-row, attached or row	✓	
Two-family detached, semi-detached or end-row, attached or row	✓	
Multifamily (3 or more units)	✓	8-3217(3)
Conversion to provide additional units in existing structure	*	8-3217(2)
Bed and breakfast inn (up to 8 guest rooms)	✓	8-3217(1)
Accessory dwelling, garage apartment, carriage house, caretaker's quarters	✓	8-3217(4)
Upper-story residential	✓	
Short-term vacation rental	✓	8-3217(5)
Adult group day care home (7 to 18 people)	✓	8-3218(1)
Adult day care center (over 18 people)	✓	8-3218(1)
Ambulance service, rescue squad	✓	8-3218(2)
College, university	✓	
Congregate care home (over 15 people)	*	8-3218(3)
Convent, monastery	✓	
Day care home, Group (7 to 18 children)	✓	8-3218(4)
Day care center (over 18 children)	✓	8-3218(4)
Eleemosynary or philanthropic institution	✓	
Food service center for homeless	✓	
Group care home (7 to 15 people)	✓	8-3218(5)
Homeless shelter (emergency)	*	8-3218(6)
Museum, library	✓	
Place of worship	✓	
Public uses, including recreation sites	✓	
School, public or private (K-12)	✓	
Single room occupancy residence	✓	8-3218(8)
Special needs housing	✓	8-3218(9)
Technical, trade or business school	✓	
Utility, minor	✓	
Artist studio, gallery	✓	
Bar, nightclub, tavern	*	8-3219(2)
Boarding or rooming house (up to 10 people)	✓	8-3219(3)
Club, lodge	*	
Contractor's office	✓	8-3219(4)
Dormitory for college or university	✓	
Fraternity, sorority house	*	
Funeral home	✓	
Gas station with convenience retail	✓	8-3219(5)
Greenhouse, plant nursery	✓	
Hotel, motel	✓	
Indoor recreation (commercial)	✓	
Inn, hostel	✓	8-3219(6)

Table 1: TC-2 District Permitted Uses		
		Standards
Key: -- = Not Permitted ✓ = Permitted * = Subject to Special Use Review		
Manufacturing, Limited	✓	8-3219(7)
Microbrewery	*	8-3219(18)
Office, General	✓	8-3219(8)
Office, Medical	✓	
Outdoor recreation (commercial)	✓	
Package alcohol sales	*	8-3219(9)
Restaurant without alcohol sales	✓	8-3219(10)
Restaurant with alcohol sales	*	8-3219(10)
Retail, General	✓	8-3219(11)
Retail, Neighborhood	✓	8-3219(11)
Self-storage facility	✓	8-3219(12)
Service, General	✓	8-3219(13)
Service, Neighborhood	✓	8-3219(13)
Shooting range, indoor	*	
Tattoo Studio	✓	8-3219(17)
Taxi dispatch, limousine service, messenger service	✓	
Vehicle repair	*	8-3219(14)
Vehicle sales and service, Minor	✓	8-3219(15)
Vehicle sales and service, Major	*	8-3219(15)
Veterinarian, animal hospital	✓	8-3219(16)

Table 2: TC-2 District Development Standards

Use



Ground Floor

Commercial or civic (see use table in 8-3216(2)(a))

Upper Floors

Residential, civic or commercial (see use table in 8-3216(2)(a)). No residential use allowed below a commercial use.

Ground Floor Area

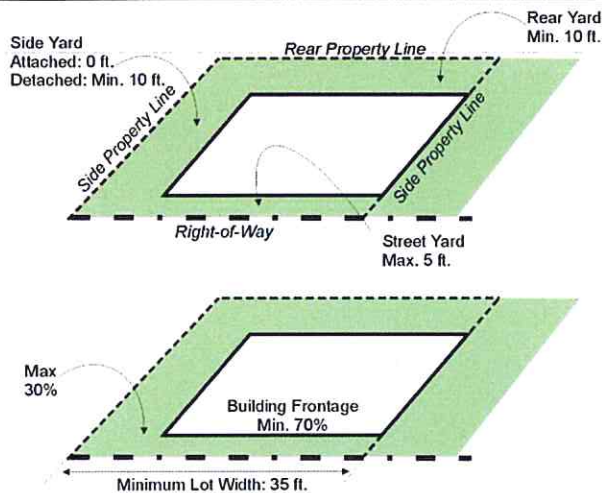
10,000 square feet maximum

Residential Density

30 units per gross acre maximum

36 units per gross acre maximum for designated affordable housing

Site



Lot Area: 2,200 SF minimum for attached residential. 3,000 SF minimum for all other uses.

Lot Width: 35 feet minimum

Building Frontage: 70% of lot width minimum

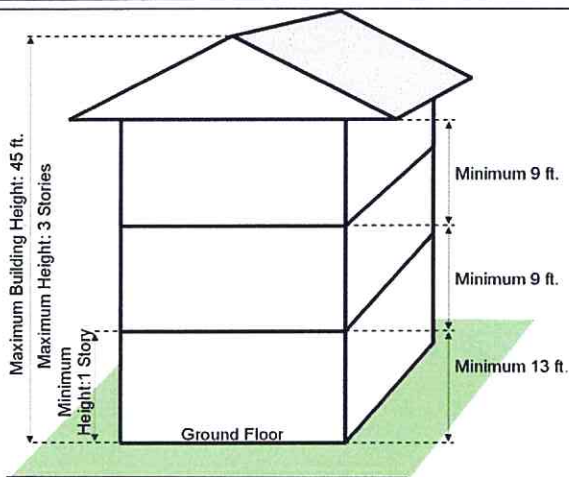
Street Yard

Average street yard for all contributing structures on the block face;
Blocks without contributing structures, 5 feet maximum

Rear Yard: 10 feet minimum

Side Yard: 0 feet on any attached side or abutting TC-1 or TC-2 zoning; all other sides, 10 feet minimum

Height



Building Height: 3 stories maximum, 1 story minimum, 45 feet maximum

Floor Height

Ground floor: 13 feet minimum

Upper floors: 9 feet minimum

Ground Floor Elevation

Residential ground floor: 30 inches minimum, including slab construction; Nonresidential: No minimum