



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: DECEMBER 11, 2018

TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

FROM: METROPOLITAN PLANNING COMMISSION

SUBJECT: MPC RECOMMENDATION

PETITION REFERENCED:

Petition to Rezone Property
Donna Pagliarullo / Swamp Kitty LLC, Owners
Harold Yellin, Agent
19, 23, 25 & 101 East 40th Street
Aldermanic District: 2 (Durrence)
County Commission District: 2 (Homes)
PIN(s): 2-0074-01-005, -006, -007 & 2-0074-02--001
MPC File: 18-005938-ZA

MPC ACTION:

Denial of the request to rezone the subject properties from the TN-2 (Traditional Neighborhood, Mid-City) to the TC-1 (Traditional Commercial, Mid-City) district.

MPC STAFF RECOMMENDATION:

Denial of the request to rezone the subject properties from the TN-2 (Traditional Neighborhood, Mid-City) to the TC-1 (Traditional Commercial, Mid-City) district.

MEMBERS PRESENT: 8+ Chairman

Joseph Ervin, Chairman
Travis Coles
Ellis Cook
Roberto Hernandez
Lacy Manigault
Wayne Noha
Eula Parker

Linder Suthers
Tom Woiwode

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

APPROVAL Votes: 9	DENIAL Votes: 0	ABSENT
Ervin Cook Coles Hernandez Manigault Noha Parker Suthers Woiwode		Branch Jarrett Milton Smith 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

December 11, 2018 Regular MPC Meeting

Title

REZONING MAP AMENDMENT | Rezone 19, 23, 25 and 101 East 40th Street from TN-2 (Traditional Neighborhood) to TC-1 (Traditional Commercial) | File No. 18-005938-ZA

Description

Harold Yellin, Petitioner
Donna Pagliarullo, Owner
Address: 19, 23, 25 and 101 East 40th Street
PIN(s): 2-0074-01-005; -006; - 007 & 2-0074-02-001
Aldermanic District: 2 - Durrence
County Commission District: 2 - Holmes
File No. 18-005938-ZA

Marcus Lotson, Project Planner

Recommendation

Staff recommends **denial** of the request to rezone 19, 23, 25 and 101 East 40th Street from TN-2 to TC-1.

Contact

Financial Impact

Review Comments

Attachments

- 📎 [Streetview.pdf](#)
- 📎 [Streetview2.pdf](#)
- 📎 [Maps.pdf](#)
- 📎 [Table 1 - TN-2 and TC-1 Use Table Comparison.pdf](#)
- 📎 [Table 2 - TN-2 Dimensional Standards.pdf](#)
- 📎 [Table 3 - TC-1 Dimensional Standards.pdf](#)
- 📎 [Staff Report-5938.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

FROM: The Planning Commission

DATE: December 11, 2018

SUBJECT: Petition to Rezone Property
Donna Pagliarullo / Swamp Kitty LLC, Owners
Harold Yellin, Agent
19, 23, 25 & 101 East 40th Street
Aldermanic District: 2 (Durrence)
County Commission District: 2 (Homes)
PIN(s): 2-0074-01-005, -006, -007 & 2-0074-02--001
MPC File: 18-005938-ZA

Marcus Lotson – MPC Project Planner

Issue:

A request to rezone four existing lots of record on the southside of East 40th Street near the intersection with Drayton Street from TN-2 (Traditional Neighborhood, Mid-City) to TC-1 (Traditional Commercial, Mid-City).

Properties

The subject properties consist of four parcels comprising approximately 0.40 acres located within the Mid-City local historic district. Each of the parcels is improved with a residential structure. Three of the properties are at the southwest quadrant of the intersection of Drayton Street and East 40th Street. The fourth property is at the southeast corner of the intersection.

- 19 East 40th Street – Existing Duplex – Approximately 4,600 square feet in size.
- 23 East 40th Street – Existing Duplex – Approximately 2,000 square feet in size.
- 25 East 40th Street – Existing Single Family Residence – Approximately 3,600 square feet in size.
- 101 East 40th Street – Existing Single Family Residence – Approximately 2,100 square feet in size.

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 signs were also posted on-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	Retail / Residential	TN-2 & TC-1
South	Vacant Lot / Parking	TC-1
East	Residential	TN-2
West	Auto Storage	TC-1

3. **Existing TN-2 (Traditional Neighborhood-Mid-City) Zoning District:**

a. **Intent of the TN-2 District:** The intent of the TN-2, Mid-City district is to, *“ensure the vibrancy of historic residential neighborhoods with traditional development patterns characteristic of Savannah from 1890 to 1930 during the streetcar and early automobile era.”* Permitted non-residential uses are limited to those that are deemed compatible with the residential character of neighborhoods.

b. **Permitted Uses:** The permitted uses for the TN-2 zoning districts are attached in **Table 1**. Permitted residential uses include single-family detached, multi-family, and upper-story residential. Permitted non-residential uses include, but are not limited to, artist studios, restaurants without alcohol sales, restaurants with alcohol sales (special land use), neighborhood retail, and package alcohol sales (special land use).

c. **Development Standards:** The development standards for the TN-2 zoning district are attached in **Table 2**.

4. **Proposed TC-1 (Traditional Commercial - Mid-City) Zoning District:**

a. **Intent of the TC-1 District:** The intent and purpose of the TC-1 district is to *“ensure the vibrancy of historic mixed-use neighborhoods with traditional development patterns characteristic of Savannah from 1890 to 1930 during the streetcar and early automobile era. The district provides*

for commercial areas that are developed at a mass and scale harmonious with nearby residential neighborhoods.”

- b. **Permitted Uses:** The permitted uses for the TC-1 zoning districts are attached in **Table 1**. Compared to the existing TN-2 district, the TC-1 district permits a greater variety of non-residential uses. Permitted uses include, but are not limited to, single and multi-family residential, general and medical offices, general retail and service uses, indoor recreation, restaurants, restaurants with alcohol sales (special land use), microbreweries (special land use), and bars and nightclubs (special land use).
 - c. **Development Standards:** The development standards for the TC-1 district are shown in **Table 3**. Whereas the existing TN-2 district sets a 60% maximum building coverage, the TC-1 district does not contain a maximum lot coverage standard. The subject parcel meets the minimum dimensional standards for the TC-1 district.
5. **Land Use Element:** The Chatham County-Savannah Comprehensive Plan Future Land Use Map designates the subject property as Traditional-Neighborhood. As provided in the Comprehensive Plan, the Traditional-Neighborhood classification is defined as, *“residential areas in close-proximity to downtown or in outlying historically-settled areas having development patterns characteristic of the Planned Town, Streetcar, and Early Automobile eras. This category includes non-residential uses that are compatible with the residential character of neighborhoods.”* The existing zoning district is compatible with the Traditional-Neighborhood FLUM designation.
 6. **Public Services and Facilities:** The property is served by the City of Savannah Police Department and Fire Department and has City water and sanitary sewer services.
 7. **Transit:** Chatham Area Transit (CAT) has a bus route on Abercorn St. approximately one block east of the subject site (14, Abercorn).

SUMMARY OF FINDINGS

Section 8-3183: Standards and Criteria for making Zoning Map Amendments

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 No

Under the proposed zoning there is potential increased intensity of development based on the uses that are permitted by right in the TC-1 zoning district.

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 No

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

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

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

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 No

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

Yes X No

ALTERNATIVES:

1. Approve staff recommendation
2. Approve the petitioner's request.
3. Approve an alternative recommendation.

POLICY ANALYSIS:

The subject properties are currently zoned TN-2 (Traditional Neighborhood) and are at the border of the proposed TC-1 (Traditional Commercial) zoning district. Although the development pattern in the general vicinity is not well defined, the existing uses are consistent with the TN-2 zoning district and are consistent with the current future land use designation. The intent of the TN-2 district is to protect historic residential neighborhoods and permit compatible non-residential uses. The TC-1 zoned properties immediately abutting the subject properties are either developed with existing commercial buildings that front onto an arterial street or underdeveloped. The applicant has not indicated a plan for redevelopment or the purpose of the proposed rezoning. Staff finds that the existing uses are compatible with the current zoning and a zoning change is not warranted.

RECOMMENDATION:

The Planning Commission recommends **denial** of the request to rezone the subject properties from the TN-2 (Traditional Neighborhood, Mid-City) to the TC-1 (Traditional Commercial, Mid-City) district.