



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: 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

Montgomery Street Partners, LLC, Petitioner

East Coast Properties, LLC; Leokate, LLC, et al., Owners

Harold/Joshua Yellen, Agents

1220, 1222 & 1224 Wheaton Street

Aldermanic District: 3, John Hall

County Commission District: 2, James J. Holmes

Property Identification Numbers: 2-0035-03-010, 2-0041-27-003, and 2-0041-08-006

File No. 18-006341-ZA

MPC ACTION:

Approval of the request to rezone the subject properties from the I-L and R-M-25 districts to the R-M-40 district with the condition that any future site plan be approved by the MPC board.

MPC STAFF RECOMMENDATION:

Approval of the request to rezone the subject properties from the I-L and R-M-25 districts to the R-M-40 district with the condition that any future site plan be approved by the MPC board.

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 | 1220, 1222, 1224 Wheaton Street | I-L (Light Industrial) and R-M-25 (Multi-Family Residential, 25 units per acre) to R-M-40 (Multi-Family Residential, 40 units per acre) | File No. 18-006341-ZA

Description

A request to rezone three parcels on the north side of Wheaton Street near the intersection with Adair Street from R-M-25 (Residential Multifamily, 25 units per acre) and I-L (Light Industrial) to R-M-40 (Residential Multifamily, 40 units per acre).

Recommendation

Staff recommends **approval** of the request to rezone the subject properties from the I-L and R-M-25 districts to the R-M-40 district.

Contact

Financial Impact

Review Comments

Attachments

- 📎 [ZONING MAP.pdf](#)
- 📎 [VICINITY MAP.pdf](#)
- 📎 [FLU MAP.pdf](#)
- 📎 [AERIAL MAP.pdf](#)
- 📎 [TAX MAP.pdf](#)
- 📎 [staff-report-18-006341-za-map.pdf](#)
- 📎 [NOTED OPPOSITION.docx](#)
- 📎 [MAPS_ZIPPED.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 Alderman of the City of Savannah

FROM: The Metropolitan Planning Commission

DATE: December 11th, 2018

SUBJECT: Petition to Rezone Property
Montgomery Street Partners, LLC, Petitioner
East Coast Properties, LLC; Leokate, LLC, et al., Owners
Harold/Joshua Yellen, Agents
1220, 1222 & 1224 Wheaton Street
Aldermanic District: 3, John Hall
County Commission District: 2, James J. Holmes
Property Identification Numbers: 2-0035-03-010, 2-0041-27-003, and 2-0041-08-006
File No. 18-006341-ZA

REPORT STATUS: Initial Report

Issue:

A request to rezone three parcels on the north side of Wheaton Street near the intersection with Adair Street from R-M-25 (Residential Multifamily, 25 units per acre) and I-L (Light Industrial) to R-M-40 (Residential Multifamily, 40 units per acre).

Properties:

The subject properties consist of three contiguous parcels comprising approximately 1.84 acres. Parcels -003 and -006 are located within the I-L zoning district, while the parcel -010 is split-zoned with most of its area located within the R-M-25 zoning district. All three properties lie in the northwest quadrant of the intersection of Wheaton Street and Adair Street.

- 1224 Wheaton Street – Vacant – Approximately 8,000 square feet in area.
- 1220 Wheaton Street – Existing vacant commercial structure – Approximately 10,450 square feet in area
- 1222 Wheaton Street – Vacant – Approximately 73,600 square feet in area.

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 November 21st, 2018. 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	Highway/Wetland	R-M-25/C-A
South	Convenience Store	B-N
East	Auto Service, Single Family Residential	I-L/R-M-25
West	Liquor Store/Vacant Lot	I-L/R-M-40

3. **Existing I-L Zoning District:**
 - a. **Intent of the I-L District:** *“The purpose of this district shall be to create and protect areas for those industrial uses which do not create excessive noise, odors, smoke and dust and which do not possess other objectionable characteristics which might be detrimental to surrounding neighborhoods or to the other uses permitted in this district.”* I-L permits industrial uses which are broadly compatible with nearby residential and commercial districts.
 - b. **Allowed Uses:** The permitted uses for the I-L district are attached in **Table 2**. Permitted uses include most retail, services, automotive, storage and residential forms of development. In addition, the district allows towers, adult entertainment establishments, nightclubs and package stores.
 - c. **Development Standards:** The development standards for the I-L zoning district are attached in **Table 4**.
4. **Existing R-M-25 Zoning District:**
 - a. **Intent of the R-M-25 District:** *“The purpose of this district shall be to provide areas for multifamily development and compatible nonresidential development. The net dwelling unit density for this zone shall be established at the time of rezoning. The density to be established shall be recommended by the metropolitan planning commission but shall be not more than 40*

units per acre.” The MPC considers, among other conditions, traffic impacts, utility capacity, and general compatibility with surrounding land uses when establishing a density requirement for an R-M district.

- b. **Allowed Uses:** The permitted uses for the R-M-25 district are attached in **Table 1**. In addition to residential, permitted uses include various care homes, religious facilities, nurseries, transitional shelters and hospitals (as a special use).
 - d. **Development Standards:** The development standards for the I-L zoning district are attached in **Table 3**.
4. **Proposed R-M-40 Zoning District:**
- a. **Proposed Intent of the R-M-40 District:** The intent of the R-M-40 district is identical to that of the R-M-25 district except for an increase in residential density to 40 units per acre.
 - b. **Proposed Uses:** The permitted uses for the R-M-25 district are identical to those in the existing R-M-25 district enumerated in **Table 3**.
 - c. **Proposed Development Standards:** The development standards for the R-M-40 zoning district are identical to those in the existing R-M-25 district (outlined in **Table 4**) except for an increase in permitted units per acre from 25 to 40.
5. **Land Use Element:** The Chatham County-Savannah Comprehensive Plan Future Land Use Map designates the subject property as “traditional commercial.” As identified in the Comprehensive Plan, this classification is defined as “*Business 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 residential uses that are compatible with the character of adjacent neighborhoods.*” The existing and proposed zoning districts are inconsistent with the FLUM designation.
6. **Public Services and Facilities:** The property is served by the Chatham County – Savannah Metropolitan Police Department, City of Savannah fire protection and by City of Savannah water and sanitary sewer.
7. **Transportation Network:** The property is served by Wheaton Street, a minor arterial with annual average daily traffic (AADT) of approximately 14,000 vehicles. Chatham Area Transit (CAT) bus route 10 runs directly along Wheaton Street with stops approximately 100 feet both to the east and west.

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 ___ No X

In the case of the existing R-M-25 district, the proposed zoning represents only an increase in density and does not change the permitted uses. The proposed R-M-40 district is far more restrictive than the I-L district covering the remainder of the property.

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 X

The range of permitted uses is more restrictive under the proposed zoning.

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

As noted above, the range of permitted uses would be limited as part of the proposed rezoning. Wheaton Street has more than enough excess capacity to carry the traffic generated by future development under the proposed R-M-40 district.

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

See above. Wheaton Street has sufficient capacity.

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

As best as can be determined, existing utilities are sufficient to meet expected future demands. A large drainage facility abuts the western boundary of the property, mitigating runoff and stormwater concerns.

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 X

The proposed zoning dramatically restricts the range of uses currently permitted in the I-L zoned portion of the property, which should improve the livability and stability of the surrounding neighborhood. R-M-40 does represent an increase in residential density but is consistent with the adjacent zoning district to the west and hence is unlikely to adversely impact its future development. Multifamily structures consistent with the proposed zoning could negatively affect adjacent single-family dwellings to the east, but any impacts are only marginally greater than what is permitted by right in the existing R-M-25 zoning and must be balanced against the benefit of eliminating the I-L district and its host of deleterious permitted uses. Furthermore, the single-family dwellings are inconsistent with their existing R-M-25 zoning and are expected to eventually transition to a more intense pattern of development.

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

Yes X No ___

The proposed multifamily residential zoning is inconsistent with the “traditional commercial” future land use designation, but this is true of virtually every nearby property except for parcels directly fronting Wheaton Street. The future land use may require an update or revision.

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:

There are two core components to this rezoning request: the shift from a light industrial district (I-L) to a multifamily district (R-M) and the increase in permitted density of an existing multifamily district from 25 to 40 units per acre. In the former case, it is clearly desirable to eliminate an industrial district with its wide range of harmful permitted uses that is currently adjacent to residences. In the latter case, the MPC must consider three core criteria when establishing a density standard for a multifamily district: the potential traffic generated, the capacity of water and sewer systems, and the compatibility of the development with surrounding land uses. Neither traffic nor water/sewer systems present much concern as the existing roads and utilities have enough excess capacity.

There is no direct access from the subject property to adjacent properties to the east (except for a single abutting parcel along Adair Street), so there should be little or no intrusion of vehicles or pedestrians into that neighborhood. The Savannah Zoning Ordinance mandates a fence and reserved buffer width as part of its multifamily development standards. Noise, odor and similar impacts should be substantially consistent between 25 and 40 units per acre.

The issue of compatibility is less straightforward. The property immediately to the west is already zoned to the higher-density R-M-40 district and hence poses no concern. The existing single-family residences to the east of the subject properties are currently zoned R-M-25, which suggests that the area is intended for future higher-density development. However, its NewZo designation of RSF-5—single-family residential with 5000 square foot lots—suggests a very different outcome.

Higher density multifamily development could negatively affect these nearby residences. The difference between 25 and 40 units per acre would manifest itself chiefly in taller buildings, though the difference is probably a single story. Development standards (height, setbacks, etc.) remain the same between the R-M-25 and R-M-40 districts; the only difference is allowed units per acre. Even so, because there is a high likelihood that the nearby single-family residences will remain in place, measures should be taken to minimize excessive building mass directly adjacent to these residences. In a worst-case scenario, a 40-foot multifamily building with balconies could directly overlook adjacent single-story houses. The MPC suggests mandating MPC board review as a condition of this rezoning to avoid such outcomes.

The subject property sits directly on a CAT transit route and is less than a 15-minute walk to downtown. There is a clear public interest in constructing more housing—especially affordable housing—in locations easily accessible to job centers in the historic core. While there are potential negative impacts to adjacent single-family properties, this must be understood in the context of what is permitted already by right and not what currently exists on a mostly vacant lot. If required, MPC board review of site plans should obviate most concerns. The possibility of impacts must be further balanced against the clear local benefit of eliminating an industrial zone and the broader public good.

Map Amendment
File No. 18-006341-ZA
Harold/Joshua Yellen, Petitioners
November 28, 2018

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RECOMMENDATION:

The MPC recommends **approval** of the request to rezone the subject properties from the I-L and R-M-25 districts to the R-M-40 district with the condition that any future site plan be approved by the MPC board.